

THE  
AMERICAN MUSEUM,  
O A  
R E P O S I T O R Y

OF ANCIENT AND MODERN  
FUGITIVE PIECES, &c.  
PROSE AND POETICAL.

For M A Y, 1788.

..... "With sweetest flow'rs enrich'd,  
"From various gardenscull'd with care." .....  
\* \* \* \* \*  
..... "Colleda revirescent."

V O L. III. No. V.

THE SECOND EDITION.

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June 9, M.DCC.XCII

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*Thoughts on crimes and punishments.*

IN this season of polical investigation, when the united attention of America, is attracted by the grand system of a national government, that is to give consequence and dignity to her, among the first empires of the earth; the following observations will, perhaps, be thought of little moment. Yet as the mind cannot always be engaged in the contemplation of things in their utility so extensive—and as objects of inferior consideration, may yet be well worthy of public attention—the author, on that ground, begs leave to submit the ensuing remarks, to the perusal of his countrymen. He does not expect that much good can result from a publication composed with talents inadequate to the task; but hopes it may suggest the undertaking to some abler writer, to employ his pen on a subject so generally neglected, notwithstanding, in its nature, it is so laudable.

Before men were subject to laws of any kind, as in the early ages of the world, they were in a state of unlimited freedom, and, consequently, every person had a right to do whatever seemed to him to be best, without any other power to control

his actions, than barely his own will and pleasure. Whilst mankind were yet but few in number, and the world but thinly peopled, this unbounded enjoyment of liberty was not discovered to be an evil. The regions of the earth were ample and extensive, so that there was room for each man to move in a sphere of his own. But when the inhabitants of the world became numerous, the full enjoyment of liberty was found to be an inconvenience, inasmuch as it was plainly discovered to be incompatible with that harmony between each other, without which, there could be no such thing as happiness in the world.

For men's actions, by reason of their propinquity, interfering with one another, the disorderly and the wicked were always interrupting the tranquillity of the sober and the virtuous, and throwing all around them into commotion. There was no law to punish such licentious behaviour, and accordingly, the world experienced many dreadful irregularities.—Observation and experience having, at length, fully evinced the mischief of living in a state of natural liberty; and a general conviction prevailing, that it was expedient, and proper, to surrender a part of those privileges derived from nature, for

the security and protection of the rest, the world came to the resolution of vesting power in the hands of a select body of men, in order to accomplish this salutary purpose.— This was the origin of civil society, and of civil government.

In entering into this compact, by which mankind agreed to submit to the restriction of laws, as, of two evils, the most eligible—they could only grant a power over those rights, that naturally belonged to them. Personal liberty, and property, being unquestionably in this class, it was at their option to yield them up to the disposal of another, without violating any law, moral or divine. They had therefore an undoubted authority to make any compact respecting those two privileges, and to submit the regulation of them, to lawgivers and legislators. But life being reserved by the Supreme Being, as a right, belonging to himself, mankind were not at liberty to commit the disposal of it into the hands of others, or to enter into any compact about it whatever. The only case wherein it was ever proper, or ever can be so, for the world to exercise jurisdiction over the lives of men, is pointed out by the Creator himself, in that passage of scripture, where he says, "blood shall be repaid by blood." But this jurisdiction being the consequence of a divine law, could not be exercised without a manifest violation of the divine prerogative, did the law proceed from another power than that of omnipotence.—Nothing is more conspicuous than the wisdom of the Creator, in reserving to himself, the life of man; since none so well understands its value, and none who are unable to give it, should be allowed to take it away.

Previous to entering into the main purpose of this publication, it was necessary to premise the foregoing observations—in order to comprehend

how far the power of making laws originally extends, and to separate and distinguish those objects to which it is applicable, from those to which it is not. We shall by this mean discover, whether men have not, exercising this power, exceeded, on some occasions, the bounds allotted them by providence; and whether they have not, in cases of capital consideration, violated the rights of heaven, and of humanity.

The most superficial observation will convince us, that this fatal and unwarrantable stretch of power, hath been, and is now, exercised under many governments. Men have assumed a right over the lives of their fellow creatures, collectively, although, individually, they have not even so much as a right over their own lives! Legislators have enacted laws which punish, with death, a crime that would be severely expiated, by what is not deemed by many, a very rigorous corporal punishment. And the countries where those laws have been made, instead of testifying the abhorrence of such unwarrantable proceedings, have not failed to execute them, with unrelenting severity.

Yet one would imagine, that one could, without a mixture of horror, compassion, and resentment, see a fellow creature about to be plunged in the abyss of eternity, by a cruel and dishonourable death, for having appropriated to his own use, a smallittance of another's property!—the probability of being driven into the commission of this crime, by a distress so extreme as to call for immediate relief, not only a mitigation of the offence, but the strongest aggravation of the inhumanity of that law, which punishes a trespass, so slight, with such rigorous extremity. Add to the consideration, the reflection, that the property taken, might possibly have been of little use to the proprietor, and our abhorrence of the savage



crifice, is complete. When we compare the crime committed, with the punishment to be inflicted, and see the vast disparity between them; when we see that the former bears no proportion to the latter, and behold the unfortunate person's excessive misery, all sense of his guilt is swallowed up by our compassion, and we feel ourselves irresistibly drawn to deplore his fate, and to reprobate the cruelty of that sentence, the effects of which, to a fellow creature, are, such irreparable injustice and calamity.

But, however shocking, even the idea of such a sacrifice must be to every person of humanity; yet, on this very occasion, the practice of mankind, in some countries, evinces them to be capable of great savageness and barbarity. In Great Britain, where those sanguinary laws, to this day, triumphant reign, shoals from their prisons, are led publicly to the slaughter—and yet no alteration in them is attempted. Even our own country, on which the goodness of providence, hath bestowed so many blessings, is not, in this respect, less culpable.—Let America repeal those odious laws, and become the advocate of humanity, as she hath long been the admired one, of the rights of human kind.

Let any man, who sees a malefactor led to execution, for one of those comparatively slight transgressions, lay his hand upon his heart, and ask himself whether he never did any thing more destructive to the happiness of the world? let him, thus solemnly, ask himself, whether he never attempted to injure the domestic tranquillity of his neighbour—to obtain the possession of his property by methods, dishonest and unjust—or, privately to destroy his reputation and credit in the world, by means, equally malicious and detestable? these being

crimes of an infinitely deeper dye, than that of having deprived another of the value of a shilling\*, and to their consequence, much more deadly and pernicious; let him acknowledge, that he himself better deserves death, than the malefactor before his eyes, and shudder at the excessive severity of the law, let him acknowledge, that the person condemned to death, suffers more by the cruel and capricious disposition of mankind, in making laws to punish capably, one species of offences, while others, of a higher degree of enormity, are overlooked, than by any uniform rule of justice whatever.

If in a moral light, those laws are so justly reprehensible—in a political one, they are still more so. The least reflection will discover their absurd and evil tendency, and show them to be pregnant with dreadful mischief in their operation.—A robber, impressed with every sentiment in behalf of the person whom he has plundered, is yet tempted, when his own life comes in competition with them, to over-rule the dictates of his humanity. He does not hesitate, therefore, to remove out of the way, the only witness that can endanger it. In this instance, he is in a great degree excusable, by the reflection, that through the resentment of him he had deprived of a trifle, his own life might have been unjustly taken away, if he had not resorted to this desperate expedient, to prevent it.—Thus, murder is added to robbery; because the punishment of those two crimes being equal, and the greatest that can possibly be inflicted, no new danger is incurred,

## NOTE.

\* In England the laws condemn a man to death for robbing another of a shilling sterling.

by adding the latter to the former, but the transgressor, on the contrary, accomplishes his own safety by it.—On this occasion, he only pursues a very natural principle, self preservation.—Crimes, whose degrees of enormity are very different, being thus, by the law, confounded—and the commission of the most flagitious, being made necessary to the safety of him who has already committed that which is naturally the most pardonable—it is no wonder that the perpetration of the one, should so often be immediately succeeded by the perpetration of the other.—If, however, it is found, that in some instances, the one does not succeed the other, it is not owing to the fear of the law, but to the force of remaining virtue. The law tempts the offender to secure his own safety, by the death of the person he has rifled; but he rejects the infamous overture, in favour of the rights of humanity, and of conscience.—Thus the law seduces, where it was intended to amend; stipulates to the commission of offences a thousand times worse than those it was made to prevent; renders the greatest crime in the world, familiar to the mind; and, by reducing it to a level with theft, or simple robbery, destroys the sense of the distinction nature has made between them, and lessons that abhorrence it has implanted in the mind of men, for the blackest, and most capital, of all transgressions.—Had different and proper degrees of punishment been allotted to the crimes we have mentioned, there would have been no temptation to avoid the punishment of the one, by committing the other, since the criminal, conscious of the infinite disparity between them, and sensible that the same disparity of punishment likewise prevailed, would be awed by the fear of incurring fresh danger, and therefore deterred from incurring fresh guilt.

But the evils already pointed out, are not the whole which result from laws so impolitic and injudicious.—Their excessive severity, and disproportionate punishment, strike the rod of justice from the hand of the party injured, who, though willing to inflict a penalty adequate to the injustice he has sustained, yet shudders at the idea of taking the transgressor's life. He chooses, therefore, to connive at his escape, rather than by delivering him up to the law, to expose him to a punishment that holds no measure with the offence.—Encouraged by successful villainy, the offender prosecutes the same course of life, with redoubled ardour; again transgresses, and, for the reason before mentioned, again experiences the like indulgence. Emboldened, now, by repeated success, he lays aside all fear of punishment; adds crime to crime, and enormity to enormity. Thus accustomed to reiterated transgressions, he grows callous to the admonitions of conscience, loses all sense of shame, and becomes capable of every gradation of guilt. Nothing, now, stops his hand; he tramples on all laws, human and divine;—violence and outrage mark his steps;—and he degenerates into a lawless savage, to be hunted down by mankind.—The patience of the world being at length exhausted, it unites against him—he is arrested, and cut off in the full bloom of iniquity. Thus he was suffered to deserve death, because if he had been sooner apprehended, he would have suffered death before he deserved it.

There is no greater argument against such violent laws, than this lenity shown to offenders; and the legislatures of those countries where they are in force, seem to acknowledge the impropriety of them, when they lodge a power in their executive, to grant reprieves and pardons. Does

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not this betray an opinion that they are too harsh, since they require a mitigation? And if it is their opinion, why do they not avow it, and correct the errors of their administration?—Nothing could be more noble than this candid and open recantation of their political oversights; as nothing, on the contrary, can be more despicable and unjust, than their perseverance in an error, which common sense, experience, and their own judgment, unite to condemn.—But to return to the point in view.

A milder and more equitable use of power would probably have produced much happier consequences. In this case, there is the strongest reason for supposing, that the laws would have been pointedly executed. The punishment would have trod close on the heels of the offence, because the whole world would have united to discourage transgressions obnoxious to public happiness. The fear of exposing the transgressor's life, being removed—and the certainty that the punishment of any crime, would not have exceeded the limits of justice—nothing would have remained to check that desire, which every one feels, to see a violation of the laws punished; and the thief, in every instance, would, accordingly, have been delivered up to their chastisement. It being thus reduced to a certainty, that penalties would be inflicted, whenever a breach of the laws took place, a general reformation among the disorderly and licentious members of society, would have been produced. The law, in that case, would have been calculated to prevent, instead of to multiply crimes; and, armed with real terrors, it would have been formidable to all offenders; and none would have ventured to approach the sphere of its influence, without caution. Thousands of valuable lives, would, by this means, have been saved, that

have been cut off by the weak and oppressive laws of arbitrary power. Transgressors, overtaken suddenly by punishment, in their first off-set, would have had no time to extinguish shame by a familiarity with guilt. The bud of iniquity, being suddenly nicked, the fruit, of course, would have been destroyed. Innumerable multitudes, by this means, would have recovered from the first false step, and have turned it to the advantage of their future lives.

The fear of shame operates more forcibly on some minds, than the fear of death. Punishments, therefore, which tend to stigmatize and render infamous, would be much more apt to prevent the commission of flagitious enormities, than the heaviest denunciations of the keenest rage, united with power, the most unlimited. But notwithstanding this consideration—DEATH must still be considered, as the greatest of all terrestrial calamities. It is that which separates the soul from the body, precipitates it into the immeasurable ocean of eternity, and delivers it up into the hands of its Maker. It irrevocably seals our doom, produces a final decision on our fate, and precludes, for ever, the possibility of an appeal! Considered in this awful light, the terrors of it should not be sported with, and rendered, in practice, familiar to the mind of man. Being the greatest of all possible evils, it should be reserved as a punishment for the greatest of all possible crimes—of crimes equally tremendous, and equally irremediable!

Having, at length, shown, that all laws which punish capitally, other offences than murder, are founded on a manifest usurpation of the divine prerogative—that they are inconsistent with justice, morality, and sound policy—and that laws, of a milder tendency, would have answered better the purposes of civil government—

is time to put a final period to these remarks.

A I. F R E D.

Baltimore, March 25, 1788.



Mr. PRINTER,

I take the liberty of enclosing you a copy of lord Mahon's method of securing houses from fire : and the interest your humanity will take in it, makes it, I am sure, unnecessary to request you to give it a place.—As this city is on the increase, it will be no doubt attended with greater good effects than even in London, where it was particularly intended to be applied by the illustrious philosopher who invented it; for it is only at the first erecting of a building, that the greater part of the enclosed observations can be carried into execution.

A CONSTANT READER.

*Description of a most effectual method of securing buildings against fire, invented by Charles lord viscount Mahon, F. R. S.*

SECT. 1. **T**HE new and very simple method which I have discovered of securing every kind of building (even though constructed of timber) against all danger of fire, may properly be divided into three parts; viz. under-flooring, extra-lathing, and inter-securing, which particular methods may be applied in part, or in whole, to different buildings, according to the various circumstances attending their construction, and according to the degree of accumulated fire, to which each of these buildings may be exposed, from the different uses to which they are meant to be appropriated.

SECT. 2.—The method of under-flooring may be divided into two

parts, viz. single and double under-flooring.

The method of single under-flooring is as follows:—a common strong lath, of about one quarter of an inch thick, should be nailed against each side of every joist, and of every main timber which supports the floor intended to be secured; other similar laths ought then to be nailed the whole length of the joists, with their ends butting against each other; these are what I call fillets. The top of each fillet ought to be at one inch and a half below the top of the joists or timbers against which they are nailed. These fillets will then form, as it were, a sort of small ledge on each side of all the joists.

SECT. 3.—When the fillets are going to be nailed on, some of the rough plaster hereafter mentioned (sect. 9.) must be spread with a trowel all along that side of each of the fillets, which is to lie next to the joists, in order that these fillets may be well bedded therein when they are nailed on, so that there should not be any interval between the fillets and the joists.

SECT. 4.—A great number of any common laths (either of oak or fir) must be cut nearly to the length of the width of the intervals between the joists.

Some of the rough plaster referred to above (sect. 3.) ought to be spread with a trowel, successively upon the top of all the fillets, and along the sides of that part of the joists which is between the top of the fillets and the upper edge of the joists.

The short pieces of common laths just mentioned, ought (in order to fill up the intervals between the joists that support the floor) to be laid in the contrary direction to the joists, and close together in a row, so as to touch one another, as much as the want of straightness in the laths will possibly allow, without the laths lapping over each other; their ends



must rest upon the fillets spoken of above, (sect. 2.) and they ought to be well bedded in the rough plaster. It is not proper to use any nails to fasten down either these short pieces of laths, or those short pieces hereafter mentioned, (sect. 7.)

Sect. 5.—These short pieces of laths ought then to be covered with one thick coat of the rough plaster spoken of hereafter, (sect. 9.) which should be spread all over them, and which should be brought with a trowel, to be about level with the tops of the joists, but not above them. This rough plaster in a day or two should be trowelled all over, close home to the sides of the joists; but the tops of the joists ought not to be any wise covered with it.

Sect. 6.—The method of double under flooring is, in the first part of it, exactly the same as the method just described. The fillets and the short pieces of laths are applied in the same manner: but the coat of rough plaster ought to be little more than half as thick as the coat of rough plaster applied in the method of single under flooring.

Sect. 7.—In the method of double under flooring, as fast as this coat of rough plaster is laid on, some more of the short pieces of laths, cut as above directed, (sect. 4.) must be laid in the intervals between the joists, upon the first coat of rough plaster: and each of these short laths must be, one after the other, bedded deep and quite sound into this rough plaster whilst it is soft. These short pieces of laths should be laid also as close as possible to each other, and in the same direction as the first layer of short laths.

Sect. 8.—A coat of the same kind of rough plaster should then be spread over the second layer of short laths, as there was upon the first layer above described. This coat of rough plaster should (as above directed, sect. 5. for the method of single un-

der flooring) be trowelled level with the tops of the joists, but it ought not to rise above them. The sooner this second coat of rough plaster is spread upon the second layer of short laths just mentioned, (sect. 7.) the better.

What follows, as far as sect. 13, is common to the method of single as well as to that of double under flooring.

Sect. 9.—Common coarse lime and hair (such as generally serve for the pricking up coat in plastering) may be used for all the purposes before and hereafter mentioned; but it is considerably cheaper, and even much better, in all those cases, to make use of hay instead of hair, in order to prevent the plaster work from cracking. The hay ought to be chopped to about three inches in length, but no shorter.

One measure of common rough sand, two measures of slaked lime, and three measures (but not less) of chopped hay, will prove, in general, a very good proportion, when sufficiently beat up together in the manner of common mortar. The hay must be well dragged in this kind of rough plaster, and well intermixed with it; but the hay ought never to be put in till the two other ingredients are well beat up together with water.

This rough plaster ought never to be made thin for any of the work mentioned in this paper. The stiffer it is, the better, provided it be not too dry to be spread properly upon the laths.

If the flooring boards are required to be laid very soon, a fourth or a fifth part of quick\* lime in powder,

NOTE.

\* I have practised this method in an extensive work with great advantage. In three weeks, this rough plaster grows perfectly dry. The

very well mixed with this rough plaster, just before it is used, will cause it to dry very fast.

Sect. 10.—When the rough plaster work between the joists has got thoroughly dry, it ought to be observed, whether or not there be any small cracks in it, particularly next to the joists: if there be any, they ought to be washed over with a brush, wet with mortar wash, which will effectually close them: but there will never be any cracks, if the chopped hay and the quick lime be properly made use of.

Sect. 11.—The mortar-wash, I make use of, is merely this. About two measures of quick lime and one measure of common sand, should be put into a pail, and should be well stirred up with water, till the water grows very thick, so as to be almost of the consistency of a thin jelly. This wash, when used, will grow dry in a few minutes.

Sect. 12.—Before the flooring boards are laid, a small quantity of very dry common sand should be strewed on the rough plaster work, but not over the tops of the joists. The sand should be struck smooth with an hollow rule, which ought to be about the length of the distance from joist to joist, and about one eighth of an inch curvature; which rule, passing over the sand, in the same direction with the joists, will cause the sand to lie rather rounding

in the middle of the interval between each pair of joists.

The flooring boards may then be laid and fastened down in the usual manner: but very particular attention must be paid to the rough plaster-work and to the sand being most perfectly dry before the boards are laid, for fear of the dry rot; of which, however, there is no kind of danger, when this precaution is made use of.

Sect. 13.—The method of under-flooring I have also applied with the utmost success to a wooden stair-case. It is made to follow the shape of the steps; but no sand is laid upon the rough plaster-work in this case.

Sect. 14.—The method of extra-lathing may be applied to ceiling joists, to sloping roofs, and to wooden partitions. It is simply this:

As the laths are going to be nailed on, some of the above-mentioned rough plaster ought to be spread between these laths and the joists (or other timbers) against which these laths are to be nailed. The laths ought to be nailed very close to each other.

When either of the ends of any of the laths, lap over the ends of other laths, it ought to be attended to, that these ends be bedded sound in some of the same kind of rough plaster.

This attention is equally necessary for the second layer of laths hereafter mentioned, (sect. 15.)

Sect. 15.—This first layer of laths ought to be covered with a pretty thick coat of the same rough plaster spoken of above, (sect. 9.) A second layer of laths ought then to be nailed on each lath being, as it is put on, well squeezed and bedded sound, into the soft rough plaster. For this reason, no more of this first coat of rough plaster ought to be laid on at a time, than what can be immediately followed with the second layer of laths.

#### NOTE.

rough plaster, so made, may be applied at all times of the year in England with the greatest success. The easiest method, by much, of reducing the quick lime to powder, is, by dropping a small quantity of water on the lime-stone, a little time before the powder is intended to be used. The lime will still retain a very sufficient degree of heat.



The laths of this second layer ought to be laid as close to each other as they can be, to allow of a proper clench for the rough plates.

The laths of the second† layer may then be plastered over with a coat of the same kind of rough plaster, or it may be plastered over in the usual manner.

SECT. 16.—The third method, which is that of inter-securing, is very similar, in most respects, to that of under flooring; but no sand is afterwards to be laid upon it. Inter-securing is applicable to the same parts of a building as the method of extra-lathing just described; but it is not often necessary to be made use of.

SECT. 17.—I have made a prodigious number of experiments upon every part of these different methods. I caused a wooden building to be constructed at Chevening in Kent, in order to perform them in the most natural manner. The methods of extra-lathing and double under flooring, were the only ones made use of in that building.

On the 26th of September, 1777, I had the honour to repeat some of my experiments before the president and some of the fellows of the royal society, the lord mayor and aldermen of the city of London, the committee of city lands, several of the foreign ministers, and a great number of other persons.

SECT. 18.—The first experiment was to fill the lower room of the building (which room was about 26 feet by 16) full of shavings and faggots, mixed

NOTE.

† If a third layer of laths be immediately nailed on and be covered with a third coat of rough plaster, I then call the method treble lathing: but this method of treble lathing can almost, in no case, be required.

with combustibles, and to set them on fire. The heat was so intense, that the glass of the windows was melted like so much common sealing wax, and ran down in drops: yet the flooring boards of that very room were not burnt through, nor was one of the side timbers, floor joists, or ceiling joists, damaged in the smallest degree; and the persons who went into the room immediately over the room filled with fire, did not perceive any ill effects from it whatever; even the floor of that room being perfectly cool during that enormous conflagration immediately underneath.

SECT. 19.—I then caused a kind of wooden building (of full 50 feet in length, and of three stories high in the middle) to be erected quite close to one end of the secured wooden house. I filled and covered this building with above eleven hundred large kiln faggots, and several loads of dry shavings; and I set this pile on fire.

The height of the flame was no less than eighty-seven feet perpendicular from the ground; and the grass upon a bank, at a hundred and fifty feet from the fire, was all scorched; yet the secured wooden building, quite contiguous to this vast heap of fire, was not at all damaged, except some parts of the outer coat of plaster work.

This experiment was intended to represent a wooden town on fire, and to show how effectually even a wooden building, if secured according to my new method, would stop the progress of the flames on that side, without any assistance from fire engines.

SECT. 20.—The last experiment I made that day was the attempting to burn a wooden stair-case secured according to my simple method of under flooring. The under side of the stair-case was extra-lathed, Seve-

ral very large kiln faggots were laid and kindled under the stair-case, round the stairs, and upon the steps; this wooden stair-case, notwithstanding, refilled, as if it had been fire-stone, all the attempts that were made to consume it.

I have since made five still stronger fires upon this same stair-case without having repaired it, having moreover filled the small place in which the stair-case is, entirely with shavings and large faggots, but the stair-case is still, however, standing, and is but little damaged.

SECT. 21.—In most houses, it is necessary only to secure the floors; and that according to the method of single under flooring, described in § 2, 3, 4 and 5. The extra expense of it in London (all materials included) is only about ninepence per square yard, unless there should be particular difficulties attending the execution; in which case it will vary a little.—When quick lime is made use of, it is a trifle more.

The extra expense of the method of extra lathing is, in London also, no more than sixpence per square yard for the timber, side walls, and partitions; but for the cieling, about ninepence per square yard. No extra-lathing is necessary in the generality of houses.

SECT. 22.—I propose giving to the world, before it is very long, a detailed account of many other experiments I have made upon this subject, and of the various advantages arising from my method, with several particulars relative to different parts of each of the methods above described, and relative to their joint or separate application to different kinds of buildings, and to the different constituent parts of a house; to which I shall add a full explanation of the principles upon which they are founded, and the reasons for their certain and surprising success.

Mr. Printer,  
 WHILE we rejoice in the step which has been taken by the late federal convention, to provide for the entire stoppage of the commerce of the negroes in twenty one years, we must wish that the individual states, which have not as yet passed laws for the abolition of this inhuman traffic, may, previous to that time be induced to a measure which will redound so much to their honour, and, at the same time, as has been demonstrated by several publications, particularly that of dean Nickolls\*, to their interest:—to this end, and to disseminate as far as possible the laudable endeavours of individuals, and of societies, who have exerted themselves in defence of humanity, and the rights of mankind, I wish you to insert the following memorial, drawn up by the society for the gradual abolition of slavery in Philadelphia, which was intended to be presented to the late federal convention, but was withheld, upon an assurance being given by a member of the convention, that the great object of the memorial would be taken under consideration, and that the memorial, in the beginning of the deliberations of the convention, might alarm some of the southern states, and thereby defeat the wishes of the enemies to the African trade. HUMANITAS.

*To the honourable the convention of the united states of America, now assembled in the city of Philadelphia. The memorial of the Pennsylvania society for promoting the abolition of slavery, and the relief of free negroes, unlawfully held in bondage.*

THE Pennsylvania society for promoting the abolition of sla-

NOTE.

\* See next page.

very, and the relief of free negroes, unlawfully held in bondage, rejoice with their fellow-citizens in beholding a convention of the states assembled for the purpose of amending the federal constitution.

They recollect with pleasure, that among the first acts of the illustrious congress of the year 1774, was a resolution for prohibiting the importation of African slaves.

It is with deep distress they are forced to observe, that the peace was scarcely concluded, before the African trade was revived, and American vessels employed in transporting the inhabitants of Africa, to cultivate, as slaves, the soil of America, before it had drank in all the blood which had been shed in her struggle for liberty.

To the revival of this trade, the society ascribe part of the obloquy with which foreign nations have branded our infant states. In vain will be the pretensions of the united states to a love of liberty, or a regard for national character, while they share in the profits of a commerce that can only be conducted upon rivers of human tears and blood.

By all the attributes, therefore, of the Deity, which are offended by this inhuman traffic—by the union of our whole species in a common ancestor—and by all the obligations which result from it—by the apprehensions and terror of the righteous vengeance of God in national judgments—by the certainty of the great and awful day of retribution—by the efficacy of the prayers of good men, which would only insult the majesty of heaven, if offered up in behalf of our country, while the iniquity we deplore continues among us—by the sanctity of the christian name—by the pleasures of domestic connexions, and the pangs which attend their dissolution—by the captivity and sufferings of our fellow-citizens in Algiers, which seem to be intended by

Divine Providence to awaken us to a sense of the injustice and cruelty of dooming our African brethren to perpetual slavery and misery—by a regard to the consistency of principles and conduct which should mark the citizens of republics—by the magnitude and intensity of our desires to promote the happiness of those millions of intelligent beings, who will probably cover this immense continent with rational life—and by every other consideration that religion, policy, and humanity can suggest—the society implore the present convention to make the suppression of the African trade in the united states a part of their important deliberations.

June, 1787.



Mr. Printer,

I ENCLOSE you a valuable letter on a most interesting subject—the slave trade—the iniquity of which, thanks to the benevolent principles of the quakers, has excited such a general spirit of abhorrence and opposition in that traffic, among the friends of humanity, in Great Britain, as must, eventually, annihilate a practice disgraceful to humanity. The information contained in this letter is as interesting to the inhabitant of South Carolina and Georgia as to the West India planter.

Your's,

P. D.

*A letter to the treasurer of the society instituted for the purpose of effecting the abolition of the slave trade. From the rev. Robert Boucher Nicholls, dean of Middleham.*

Middleham, Yorkshire, Oct. 19, 1787.

SIR,

I TAKE the liberty of troubling you, in consequence of an advertisement I have just seen in the York paper, by which I had several light

mane gentlemen, to their infinite honour, have notified their design to move in parliament for the abolition of the slave trade. Being myself a native of the West Indies, though established in this country, I feel myself interested in the cause you have nobly espoused; and wish to contribute my mite of information, to which your public invitation encourages me.

I conceive, sir, if it can be proved that the natural increase of the negroes already in the islands, would be fully adequate to the cultivation of them—and that such natural increase would be secured by humane treatment, no argument could then be brought against the abolition of this accursed traffic, but from the private interest of a few individuals, on this side of the Atlantic chiefly.

Though it must be from a number of facts that the above position can derive incontrovertible evidence, yet I will state one or two remarkable ones, referring you to persons in London to authenticate them in a better manner than I am able to do.

About seventeen or eighteen years ago, a Mr. Macmahon died upon his estate in the parish of St. George, in the island of Barbadoes. The estate was valued, as well as I can remember, at about 30,000*l.* that money. Its late possessor had been in possession of it seven or eight years: but finding it encumbered with a debt to a merchant in London, he resolved to pay off this encumbrance by extraordinary exertions; in consequence of which, he destroyed the health and lives of many of his negroes.\* He

was therefore obliged to supply their place with others, purchased from time to time, during the space of seven years; till at length upon his own demise, his estate was left precisely in the same state of encumbrance he found it, the money lost by the death of his slaves being found equal to the original debt upon his estate.

Nearly about the same time, or a little before, died Dr. Mapp, of the same island, a gentleman who possessed an estate of less value than that above-mentioned—being, as I believe, but about the value of twenty thousand pounds currency, in a situation more subject to drought, in a soil less rich, and at a greater distance from market. This gentleman was neither the patriarch than the master among his negroes. Of provisions they had a plentiful supply: his tenderness gave them a long respite from labour during the greatest heat of the day, from eleven to three: and proper refreshments were added, in the sultry interval, without any labour of their own. Thus fostered by a fatherly care, their increase was wonderful. Another estate, on which there were no negroes, was purchased, in order to receive the overflow from the original estate; which purchased estate was, I believe, of the value of twelve thousand pounds currency. The daughter of this gentleman had a suitable fortune, and the son inherited a clear fortune of above forty thousand pounds—more than double the original estate. The

## NOTE.

## NOTE.

\* Since writing the above, a gentleman of the island has assured me it was ascertained from a negro levy (or poll tax) that in two years the number of Macmahon's slaves was

lessened nearly one half, i.e. from 170 to 95, by his severity: and that it was his usual boast, he did not desire a newly purchased slave to live longer than four years, in which time he could be sufficiently repaid for the purchase.

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daughter is married to a most respectable gentleman, of good fortune, H. A. esquire, who will, I dare say, being a person of great humanity, certify you further on a subject that does so much honour to the memory of his lady's excellent father; for it is of importance to ascertain these particulars with minute exactness. I presume the well known house of L—— can authenticate the former relation, if it be, as I heard it in the island, at the funeral of that inhuman person Macmahon. Having now no connexion with the West-Indies, and residing at a distance from town, my communications to you can be of little more service than pointing out the quarter from whence you may derive better information: yet I have not knowingly exaggerated anything, or misinformed you intentionally.

It is very certain, that negroes multiply in warm climates in an infinitely greater proportion than in cold. Even extreme heat does not incommode them: nor are they so liable, as the white people, to the disorders of warm climates, when their blood is not impoverished by extreme labour, scanty or unwholesome diet. In the West-India islands, and in the southern colonies of North-America, they will be full of health and vigour at those seasons, when the whites are affected with fevers and agues, and have swollen legs and jaundiced faces. But if the blacks are diseased with slow fevers and dysenteries, is there any wonder in it, when we consider that milk and fresh meat they never taste? Their food consists of maize, vegetables and either a little rancid salt fish, or (rarely) a small portion of salt beef or pork from Ireland, which is of the worst quality the market affords; and their drink is, commonly, water from ponds, occasionally with a little rum in it; and in the rainy seasons they

are not always withdrawn from their labours to shelter.

In the northern provinces of North-America, (where also I have resided), from the severity of the climate, the increase of the blacks is small, (indeed there are few of them): their natural complexion, of glossy black, is changed to a dark, unhealthy tawney; and they are soon old. But warm climates are congenial to them; in them, with tolerable treatment, they are prolific and long lived. It must, therefore, be the ill treatment they receive in the islands, that renders yearly supplies of new slaves necessary, to keep up the number on the plantations: where, when they arrive, many, from the loss of their liberty, their friends, and country, pine to death; some destroy themselves; few, if any, are capable of much labour, till the second or third year. And it is a known fact, that, when the planters find new recruits requisite for the cultivation of their estates, they not only prefer native slaves, but will give a considerably greater price for them.

Why then, it may be said, is any planter so blind to his own interest, as not to treat his slaves in a manner, that would amply repay his humane attention? Some persons do, and find their account in it. Still this practice is not general; far from it. The planter has passions, upon which there is no check in law, in favour of the negro, for whose murder, (if the property is vested in him) he is not accountable to the magistrate. The planter, from extravagancies in this country, from riotous living in his own, and not unfrequently from bad crops, is often deeply embarrassed with debts to the British merchant; or, eager to make a fortune, he trusts more to present exactions of labour, and parsimonious savings, than to the future product of humanity, or future recompense of liberali-

ty. I speak generally. I know there are amiable exceptions; but exceptions imply a rule to the contrary. And lastly, the planter, confirmed in habit, inflexible in obstinacy, and rooted in prejudice, is unwilling to try the effect of a lenient and novel system, from which, to say the truth, the vices of slaves (what can be expected from slaves?) render him often averse.

With respect to the force of prejudice in our islands, we know how invincibly unwilling the white people are to admit the slaves to the privileges of christianity, to which, I believe, the venerable society for propagating the gospel in foreign parts can give ample testimony. And why (upon the foot of humanity, I ask the question) are these poor people to be excluded from those comforts of our religion which its founder commanded to be tendered equally unto all? They are under no incapacity which they do not owe to us. At New-York, I have seen from twenty to forty black communicants. The people in our islands not only neglect, but object to the conversion of their slaves, upon pleas, which, if admitted originally, would have annihilated christianity at its first appearance.

In the continuation of lord Clarendon's history, we find, that in his time, the number of white inhabitants was fifty thousand—and of blacks, if I rightly recollect, a hundred thousand, in the island of Barbadoes: about twenty-five years since, the numbers, by actual enumeration, were, of whites less than twenty-five thousand; of negroes ninety thousand. Now, though the number of whites has apparently diminished in a greater proportion than that of the blacks, yet it is to be observed, that the blacks are stationary; they do not migrate; the whites do: nor is the increase of the whites from new-

comers in a greater proportion than the number of natives that migrate or live elsewhere; besides that the climate is more in favour of the blacks than of the whites. It is now, in round numbers, a hundred years since lord Clarendon wrote his continuation. In this space of time, the whites have diminished about one half: the number of blacks has lessened in the proportion of nine to ten, notwithstanding the yearly importation of five thousand, as I have heard: but stating it only at four thousand, or even three thousand, that would prove the original stock of blacks to have been lost just so many times over, i. e. five, four, or three, in the space of a century, besides the diminution from one hundred to ninety thousand: so that while the whites, in a climate less favourable to them, have lost only one half of their original stock, the blacks have lost it four or five times over. How near all these particulars are to the precise fact, I have not the means of ascertaining; but in a general view, I believe they are sufficiently near to show that the blacks in our islands are diminished, through maltreatment, in a proportion, which, were it to prevail equally in all countries, in a century would depopulate the globe. But I think it would be worth while to examine accurately into these particulars; as an average calculation of the loss humanity sustains in our islands, would be an argument that no man, with the feelings of a man, could have the face to reply to. I think, too, the amount of the annual import of slaves into our islands might be easily ascertained here at home, from the accounts of sales; that amount might be compared with the exports of produce from the islands; and the comparison would show how much of his produce the planter loses, and the proportionate charge upon it, which the con-



fumer pays, for a traffic that a little time and some humanity would render useless.

The immediate and effectual remedy for the diminution of slaves in the islands, would be the entire abolition of the slave trade. This would necessarily oblige the planter to take such care of his negroes, as would at once essentially serve the cause of humanity, without giving him any occasion for the plea, that his rights are infringed, or his property invaded; for surely, however he may have acquired a property in the slaves, now under his dominion, he can have none, in those who are not; he can have no greater right to recruit his gang with the inhabitants of Guinea than with the inhabitants of Britain. Nor can the British merchant be better entitled to buy or sell the inhabitants of Guinea, than the inhabitants of Guinea are to buy or sell him. Let him suppose himself at Algiers, and ask himself what he would think of his chains, or of the right that imposed them? What, if it were true, that the British merchant buys only captives taken in war? War is made in Guinea, that the captives may be sold to him. It is the receiver of stolen goods that makes the thief.

For all the blood spilt in such wars—for all the villages set in flames, by the contending parties—for all the ravages incident to war—for all the tears and sufferings of captives, whose attachments are violently broken—for all the cruelties they endure in the course of their voyage, or under a rigid task-master, when sold for slaves, the merchant is to answer. He sets up self-interest as his idol, and slabs humanity as the sacrifice to it. And shall the rest of the world sit down quietly, and suffer their common humanity to be thus injured and insulted—that the trader may eat turtle, and the daugh-

ter of the skipper of a vessel flounce in silks or muslins?

But it is a branch of national commerce, and is allowed by the legislature. So, anciently, among the states of Greece, was piracy not only allowed, but esteemed honourable. But in a matter so evidently contrary to every principle of common justice, where is the man, with shame in his face, or honesty in his heart, that, in a national assembly will dare avow such a cause? If we admit the plea, from necessity, or such a traffic, where shall we stop? Is not the plea of the robber, who is hanged, as good? *Fiat justitia—ruat calum.* The friends of liberty must, upon their own principles, reprobate this worst species of tyranny—the worst, because no other has so blasting an effect upon morals, no other so thoroughly vitiates the heart. The christian cannot countenance it. His bible shows, that “murderers of fathers” and mothers, and perjured per-“sons,” 1 Tim. i. ver. 10. And will he mix in such a crew? Will he give them his countenance and support? They, who read and believe their bible, may learn from the histories and prophecies it contains, that though divine providence is pleased to permit one nation to oppress another—and though the oppressing power be the scourge of divine justice—yet vengeance will revert to the oppressor at last, because he seeks the injury, not the reformation, of the oppressed: and, therefore, believers in a divine providence will see much to dread in the encouragement of the slave-trade.

Could that infernal traffic be annihilated, the condition of slavery in the islands would be meliorated; the native negroes would be more tractable, more ready to acquire the regard of those among whom they were born, and more easily converted to

christianity, because they may be more easily informed. At length, by the mild and uniform operation of christian principles, slavery itself might be abolished. For though christianity, at its first promulgation, for obvious reasons, did not affect to introduce any alteration in the civil rights of men, yet its genuine tendency is friendly to civil liberty, as Montesquieu has observed in its favour, and Gibbon has dared to allege to its reproach. That slavery is not at all necessary to the cultivation of the sugar-cane, is evident: for Sicily, within a few centuries, manufactured sugar, as Cochin China now does, without any assistance from slaves. But were it otherwise, what would, what should, be the choice of Britons? to have sugar in their tea, or to set nations free from the scourge, the chain, and the yoke?

To the planter, the prohibition of the slave trade would be immediately beneficial; and the benefit would be progressive with time: as it would immediately raise the value of his negroes, whose numbers also would be increased by a melioration of the system of slavery.

To the British merchant it would be equally beneficial, in a similar manner; for none of the produce of the islands being expended in the purchase of slaves, more would be left for the payment of debts to Britain.

To the British nation it would be beneficial, because the planter, cultivating the sugar-cane at less expense, could afford his produce at a lower rate; because also, seamen and soldiers would not be sent to perish in the unhealthy climates of Africa.

To the American states it would afford a proof, that we are no less friendly to liberty than they, who have already shown to us an example in this respect, which we ought first to have given.

To all the world it will prove our equity and humanity.

To nations yet unborn, it will transmit liberty and happiness.

To the reign of George the third it will give peculiar lustre, and exhibit him as the friend of mankind at large, whom the noblest zeal in the support of piety and morals at home, distinguishes as the real father of his people.

I have not, sir, intentionally misstated any circumstance, and I am out of the way of more correct information. What I have written is dictated by an ardent wish for the success of your cause.

I have some pamphlets which have been published upon this subject, and will circulate them among my neighbours.

I am, sir, with great respect, your most obedient humble servant,

ROBERT BOUCHER NICKOLLS,  
dean of Middleham.



*To the honourable the senate and house of representatives of the commonwealth of Massachusetts, in general court assembled, on the 27th February, 1788. The petition of a great number of blacks, freemen of said commonwealth,*

*Humbly sheweth,*

THAT your petitioners are justly alarmed at the inhuman and cruel treatment that three of our brethren, free citizens of the town of Boston, lately received. A captain, under pretence that his vessel was in distress on an island below in this harbour, having got them on board, put them in irons, and carried them off from their wives and children, to be sold for slaves; this being the unhappy state of these poor men, what can your petitioners expect but to be treated in the same manner by the same sort of men? What then are our lives and liberties worth, if they

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may be taken away in such a cruel and unjust manner as this? May it please your honours, we are not insensible, that the good laws of this state, forbid all such bad actions; notwithstanding, we can assure your honours, that many of our free blacks, that have entered on board vessels as seamen, have been sold for slaves; and some of them we have heard from, but know not who carried them away. Hence it is, that many of us, who are good seamen, are obliged to stay at home through fear, and one half of our time loiter about the streets, for want of employ; whereas if they were protected in that lawful calling, they might get a handsome livelihood for themselves and theirs, which, in the situation they are now in, they cannot. One thing more we would beg leave to hint; that is, that your petitioners have, for some time past, beheld with grief, ships cleared out from this harbour for Africa, and there they either steal, or cause others to steal, our brothers and sisters, fill their ships' holds full of unhappy men and women crowded together, then set out to find the best market, to sell them there, like sheep for the slaughter, and then return here, like honest men, after having sported with the lives and liberty of their fellow-men; and at the same time call themselves christians. Blush, O heavens, at this! These our weighty grievances, we cheerfully submit to your honours, without dictating in the least, knowing by experience that your honours have, and we trust ever will, in your wisdom, do us that justice that our present condition requires, as God and the good laws of this commonwealth shall dictate to you. And as in duty bound, your petitioners shall ever pray.

PRINCE HALL.

Method of destroying caterpillars upon trees.

TAKE lighted charcoal in a chaffing dish: throw thereon some pinches of brimstone in powder; place the same under the branches that are loaded with caterpillars. The vapour of the sulphur, which is mortal to these insects, will not only destroy all that are on the tree, but prevent its being infested by them afterwards. A pound of sulphur will clear as many trees as grow on several acres,



Hint on the management of sheep.

IT has been often remarked, that the American sheep yield much less wool, than the sheep of Britain, France, and Spain. This is owing to the length of our winters, and the quantity of snow on the ground, preventing their picking up as much nourishment as the sheep in Europe:—hence they drop their wool, from mere weakness, during the winter and spring. To prevent this, a farmer of long experience has found half a gill of Indian corn, given every day, to each sheep, to be extremely useful. It strengthens the sheep, by which means the quantity of wool is increased, as well as retained, till the time of shearing, to the great emolument of the farmer.

AGRICOLA.



On the use of mud as manure.

THROUGH my farm runs a little rivulet, or brook, in several parts of which are reservoirs or lodgments of mud. I have made it a rule, for some years, every summer I could find convenient, as soon as the

hay was carried off my meadows, to clean those reservoirs, and spread the mud immediately on the ground. The success was surprising: I venture to say almost to double my crops for two or three years after. I cannot get enough to dress my meadows all over, above once in three years: but, from what I have seen, that is often enough. I have known many good farmers mix the mud, when tolerably dry, with chalk-lime, dung, &c. and, after turning it together a winter, lay it on their land: and I allow this to be a good method: but these additions are unnecessary upon meadows. I should not, indeed, think it prudent to throw it thus green on arable land. The way I have hitherto made use of it, is, carrying it on by small, low carts drawn by a single horse, and spreading it out of the cart with a scoop: and of this work we can do a great deal in a day.

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*Hint to farmers.*

**T**HE hon. mr. Dalton, of the state of Massachusetts, in a letter to the Boston academy of arts, informs them, that from one third of an acre of a sandy loam, well manured, he raised two hundred and fifty bushels of carrots, which weighed, upon an average, sixty-six pounds per bushel. Of the usefulness of this nutritious vegetable, we have the following account, published in the *Encyclopædia Britannica*, under the article agriculture, no. 130.

“At Parlington, in Yorkshire, from the end of September till the first of May, twenty working horses, four bullocks, and six milch cows, were fed upon the carrots that grew on three acres; and these animals never tasted any other food, but a little hay. The milk was excellent—

and, over and above, thirty hogs were fattened upon what was left by the other beasts.”

A FARMER.



*Address to the citizens of the united states.*

**T**HE peace, liberty, and safety of our common country call upon us, at this time, for all our good sense, our moderation, and our integrity. Unhappy symptoms of an unseasonable warmth have too frequently discovered themselves in the publications and debates upon the momentous subject whereon depend all our future good or evil. The proposed constitution for the united states, being an object of immense consequence, not only to us, but to mankind, we must deeply regret and be shocked by the language with which the subject is treated. When a number of characters, than whom on the whole, the union has no better nor abler friends—when I say, a number of characters such as these, under the authority of their respective states, had formed a constitution, which was promulgated in the most open manner, in thousands of public newspapers and hand-bills, reported to the legislatures, and transmitted to congress—when congress had passed it again to the legislatures—and the legislatures had called conventions, in most instances unanimously—when two of those conventions have adopted it unanimously, and another by a majority of two-thirds—what shall we say of ourselves, or what must the astonished world think of us, when they find such open conduct indecently and outrageously termed a conspiracy—and the whole list of men, who have taken a part in the business, preposterously attempted to be held up as

the characters of dark conspirators? Ye men, who gratefully remember past services—ye men of just and moderate, but firm spirits, as ye value the peace and honour of our country, take heed how ye join such base, outrageous, and seditious accusers! How familiarly do they talk of blood of the whole conventions of the people! The lives of the federalists, say the members of the political club of Cumberland, will scarcely atone for their conduct! Strange excess, of a small body of men, the first, throughout the union, who have come to a resolution unfavourable to the new constitution! It is a language and conduct, unwarrantable in any cause: and however they may hope it will inflame the uninformed part of the people, it must have a very opposite effect on the minds of those respectable men, who are to compose the state conventions. All the legislatures who have yet met, and every state convention that has taken up the constitution, have subjected themselves, in common with the federal convention, to the intemperate censures and daring menaces of these writers and resolvers, manfully despising their wild charge of conspiracy, or their wilder and more wicked threats of bloodshed. For shame, for shame, my countrymen! do not thus throw new and deeper disgrace upon your already-wounded national character. Do not thus exert every nerve to precipitate this devoted country again into civil broils, bleeding as she yet is, from her late conflict.

*A free-born American.*

*Philadelphia, January, 1788.*

*Address to the freemen of South Carolina, on the federal constitution: by Dr. Ramfay.*

*Friends, countrymen, and fellow citizens.*

YOU have, at this time, a new federal constitution proposed for your consideration. The great importance of the subject demands your most serious attention. To assist you in forming a right judgment on this matter, it will be proper to consider,

First, It is the manifest interest of these states to be united. Internal wars among ourselves, would most probably be the consequence of disunion. Our local weakness particularly proves it to be for the advantage of South Carolina to strengthen the federal government: for we are inadequate to secure ourselves from more powerful neighbours.

Secondly: If the thirteen states are to be united in reality, as well as in name, the obvious principle of the union will be, that the congress, or general government, should have power to regulate all general concerns. In a state of nature, each man is free, and may do what he pleases: but in society, every individual must sacrifice a part of his natural rights: the minority must yield to the majority: and the collective interest must controul particular interests. When thirteen persons constitute a family, each should forego every thing that is injurious to the other twelve. When several families constitute a parish, or county, each may adopt what regulations it pleases, with regard to its domestic affairs; but must be abridged of that liberty in other cases, where the good of the whole is concerned.

When several parishes, counties, or districts, form a state, the separate interests of each must yield to the collective interest of the whole.



When several states combine in one government, the same principles must be observed. These relinquishments of natural rights, are not real sacrifices: each person, county, or state, gains more than it loses: for it only gives up a right of injuring others, and obtains, in return, aid and strength to secure itself in the peaceable enjoyment of all remaining rights. If then we are to be an united people, and the obvious ground of union must be, that all continental concerns should be managed by congress—let us by those principles examine the new constitution.

Look over the eighth section, which enumerates the powers of congress; and point out one that is not essential, on the before-recited principles of union. The first is a power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the united states.

When you authorised congress to borrow money, and to contract debts, for carrying on the late war, you could not intend to abridge them of the means of paying their engagements, made on your account. You may observe, that their future power is confined “to provide for the common defence and general welfare of the united states.” If they apply money to any other purposes, they exceed their powers. The people of the united states, who pay, are to be judges how far their money is properly applied. It would be tedious to go over all the powers of congress: but it would be easy to show, that they all may be referred to this single principle, “that the general concerns of the union ought to be managed by the general government.” The opposers of the constitution cannot show a single power, delegated to congress, that could be spared, consistently

with the welfare of the whole; nor a single one, taken from the states, but such as can be more advantageously lodged in the general government, than in that of the separate states.

For instance: the states cannot emit money. This is not intended to prevent the emission of paper money, but only of state paper money. Is not this an advantage? To have thirteen paper currencies, in thirteen states, is embarrassing to commerce, and eminently so to travellers. It is, therefore, obviously our interest, either to have no paper, or such as will circulate from Georgia to New Hampshire.

Take another instance: the congress are authorised to provide and maintain a navy. Our sea-coast, in its whole extent, needs the protection thereof: but if this was to be done by the states, those, who build ships, would be more secure, than those who do not. Again: if the local legislatures might build ships of war at pleasure, the eastern would have a manifest superiority over the southern states. Observe, how much better this business is referred to the regulation of congress. A common navy, paid out of the common treasury, and to be disposed of by the united voice of a majority, for the common defence of the weaker, as well as of the stronger states, is promised, and will result from the federal constitution. Suffer not yourselves to be imposed on by declamation. Ask the man, who objects to the powers of congress, two questions: is it not necessary that the supposed dangerous power should be lodged somewhere? And, secondly, where can it be lodged, consistently with the general good, so well as in the general government? Decide for yourselves on these obvious principles of union.

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ern states have an advantage in their representation in congress. Let us examine this objection—the four eastern states send seventeen members to the house of representatives: but Georgia, South Carolina, North Carolina, and Virginia, send twenty-three. The six northern states send twenty-seven, the six southern thirty. In both cases, we have a superiority;—but, say the objectors, add Pennsylvania to the northern states, and there is a majority against us. It is obvious to reply, add Pennsylvania to the southern states, and they have a majority. The objection amounts to no more, than, that seven are more than six. It must be known to many of you, that the southern states, from their vast extent of uncultivated country, are daily receiving new settlers; but in New-England, their country is so small, and their land so poor, that their inhabitants are constantly emigrating. As the rule of representation in congress is to vary with the number of inhabitants, our influence in the general government will be constantly increasing. In fifty years, it is probable that the southern states will have a great ascendancy over the eastern. It has been said, that thirty-five men, not elected by yourselves, may make laws to bind you. This objection, if it has any force, tends to the destruction of your state government. By our constitution, sixty-nine make a quorum; of course, thirty-five members may make a law to bind all the people of South-Carolina.—Charleston, and any one of the neighbouring parishes, send, collectively, thirty-six members; it is, therefore, possible, in the absence of all others, that three of the lower parishes might legislate for the whole country. Would this be a valid objection against your own constitution? It certainly would not—neither is it against the proposed federal plan.

Learn from it this useful lesson—in- sist on the constant attendance of your members, both in the state assembly and continental congress: your representation, in the latter, is as numerous, in a relative proportion with the other states, as it ought to be. You have a thirteenth part in both houses; and you are not, on principles of equality, entitled to more.

It has been objected, that the president, and two thirds of the senate, though not of your election, may make treaties binding on this state. Ask these objectors—do you wish to have any treaties? They will say, yes. Ask, then, who can be more properly trusted with the power of making them, than they to whom the convention have referred it? Can the state legislatures? They would consult their local interests. Can the continental house of representatives? When sixty-five men can keep a secret, they may.—Observe the cautious guards which are placed round your interests. Neither the senate, nor president, can make treaties by their separate authority. They must both concur. This is more in your favour than the footing on which you now stand. The delegates in congress of nine states, without your consent, can now bind you: by the new constitution, there must be two thirds of the members present, and also the president, in whose election you have a vote. Two thirds are, to the whole, nearly as nine to thirteen. If you are not wanting to yourselves, by neglecting to keep up the state's complement of senators, your situation, with regard to preventing the controul of your local interests by the northern states, will be better under the proposed constitution, than it is now under the existing confederation.

It has been said, we will have a navigation act, and be restricted to

American bottoms; and that high freight will be the consequence. We certainly ought to have a navigation act: and we assuredly ought to give a preference, though not a monopoly, to our own shipping.

If this state is invaded by a maritime force, to whom can we apply for immediate aid?—To Virginia and North Carolina? Before they can march by land to our assistance, the country may be over-run. The eastern states, abounding in men and in ships, can sooner relieve us, than our next door neighbours. It is therefore not only our duty, but our interest to encourage their shipping. They have sufficient resources, on a few months notice, to furnish tonnage enough to carry off all our exports; and they can afford, and doubtless will undertake to be your carriers on as easy terms as you now pay for freight in foreign bottoms.

On this subject, let us consider what we have gained, and also what they have lost, by the revolution. We have gained a free trade with all the world, and consequently a higher price for our commodities. It may be said, and so have they. But those, who reply in this manner, ought to know, that there is an amazing difference in our favour. Their country affords no valuable exports: and, of course, the privilege of a free trade is to them of little value; while our staple commodity commands a higher price than was usual before the war. We have also gained an exemption from quit-rents, to which the eastern states were not subjected. Connecticut and Rhode Island were nearly as free, before the revolution, as since. They had no royal governors nor councils to controul them, or to legislate for them. Massachusetts and New Hampshire were much nearer independence, in their late constitution, than we were. The eastern states, by the revolution, have

been deprived of a market for their fish, of their carrying trade, their ship-building, and almost of every thing but their liberties.

As the war has turned out so much in our favour, and so much against them, ought we to grudge them the carrying of our produce, especially when it is considered, that by encouraging their shipping, we increase the means of our own defence?

Let us examine, also, the federal constitution, by the principles of reciprocal concession. We have laid a foundation for a navigation act. This will be a general good; but particularly so to our northern brethren. On the other hand, they have agreed to change the federal rule of paying the continental debt, according to the value of land, as laid down in the confederation, for a new principle of apportionment, to be founded on the numbers of inhabitants, in the several states respectively. This is an immense concession in our favour. Their land is poor; our's rich; their numbers great; our's small; labour with them is done by white men, for whom they pay an equal share; while five of our negroes only count as equal to three of their whites. This will make a difference of many thousands of pounds in settling our continental accounts.

It is farther objected, that they have stipulated for a right to prohibit the importation of negroes after twenty-one years. On this subject, observe, as they are bound to protect us from domestic violence, they think we ought not to increase our exposure to that evil, by an unlimited importation of slaves. Though congress may forbid the importation of negroes after twenty-one years, it does not follow that they will. On the other hand, it is probable that they will not. The more rice we make, the more business will be for their

shipping: their interest will therefore coincide with our's. Besides, we have other sources of supply—the importations of the ensuing twenty years, added to the natural increase of those we already have, and the influx from our northern neighbours, who are desirous of getting rid of their slaves, will afford a sufficient number for cultivating all the lands in this state.

Let us suppose the union to be dissolved by the rejection of the new constitution; what would be our case? The united states owe several millions of dollars to France, Spain, and Holland. If an efficient government is not adopted, which will provide for the payment of our debt, especially of that which is due to foreigners—who will be the losers? Most certainly, the southern states. Our exports, as being the most valuable, would be the first objects of capture on the high seas: or descents would be made on our defenceless coasts, till the creditors of the united states had paid themselves, at the expense of this weaker part of the union.

Let us also compare the present confederation with the proposed constitution. The former can neither protect us at home, nor gain us respect abroad. It cannot secure the payment of our debts, nor command the resources of our country, in case of danger. Without money, without a navy, or the means of even supporting an army of our own citizens in the field, we lie at the mercy of every invader. Our sea-port towns may be laid under contribution, and our country ravaged.

By the new constitution, you will be protected, with the force of the union, against domestic violence and foreign invasion. You will have a navy to defend your coast.—The respectable figure you will make among the nations, will so far command

the attention of foreign powers, that it is probable you will soon obtain such commercial treaties, as will open to your vessels the West India islands, and give life to your expiring commerce.

In a country like our's, abounding with freemen all of one rank, where property is equally diffused, where estates are held in fee simple, the press free, and the means of information common—tyranny cannot readily find admission under any form of government: but its admission is next to impossible, under one, where the people are the source of all power, and elect, either mediately by their representatives, or immediately by themselves, the whole of their rulers.

Examine the new constitution with candour and liberality. Indulge no narrow prejudices to the disadvantage of your brethren of the other states; consider the people of all the thirteen states, as a band of brethren, speaking the same language, professing the same religion, inhabiting one undivided country, and designed by heaven to be one people. Consent that what regards all the states should be managed by that body which represents all of them: be on your guard against the misrepresentations of men who are involved in debt; such may wish to see the constitution rejected, because of the following clause, “no state shall emit bills of credit, make any thing, but gold and silver coin, a tender in payment of debts, pass any *ex post facto* law, or law impairing the obligation of contracts.” This will doubtless bear hard on debtors who wish to defraud their creditors: but it will be of real service to the honest part of the community. Examine well the characters and circumstances of men who are averse to the new constitution. Perhaps you will find that the above recited clause is the real ground of the opposition of some of

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them, though they may artfully cover it with a splendid profession of zeal for state privileges and general liberty.

On the whole, if the proposed constitution be not calculated to better your country, and to secure to you the blessings for which you have so successfully contended, reject it: but if it be an improvement on the present confederation, and contains, within itself, the principles of farther improvement, suited to future circumstances, join the mighty current of federalism, and give it your hearty support. You were among the first states that formed an independent constitution; be not among the last in accepting and ratifying the proposed plan of federal government; it is your sheet anchor; and without it independence may prove a curse.



*Letter from dr. Rush, to dr. Ramsay.*

*Dear sir,*

I Presume, before this time, you have heard, and rejoiced in the auspicious event of the ratification of the federal government by six of the united states.

"The objections, which have been urged against the federal constitution, from its wanting a bill of rights, have been reasoned and ridiculed out of credit in every state that has adopted it. There can be only two securities for liberty in any government, viz. representation and checks. By the first, the rights of the people, and by the second, the rights of representation are effectually secured. Every part of a free constitution hangs upon these two points; and these form the two capital features of the proposed constitution of the united states. Without them, a volume of rights would avail nothing; and with them, a declaration of rights is absurd and unnecessary: for the peo-

ple, where their liberties are committed to an equal representation, and to a compound legislature, such as we observe in the new government, will always be the sovereigns of their rulers, and hold all their rights in their own hands. To hold them at the mercy of their servants, is disgraceful to the dignity of free-men. Men, who call for a bill of rights, have not recovered from the habits they acquired under the monarchical government of Great Britain.

"I have the same opinion with the antifederalists, of the danger of trusting arbitrary power to any single body of men: but no such power will be committed to our new rulers. Neither the house of representatives, the senate, or the president, can perform a single legislative act by themselves. An hundred principles in man will lead them to watch, to check, and to oppose each other, should an attempt be made by either of them upon the liberties of the people. If we may judge of their conduct, by what we have so often observed in all the state-governments, the members of the federal legislature will much oftener injure their constituents, by voting agreeably to their inclinations, than against them.

"But are we to consider men entrusted with power, as the receptacles of all the depravity of human nature? by no means. The people do not part with their full proportions of it. Reason and revelation both deceive us, if they are all wise and virtuous. Is not history as full of the vices of the people, as it is of the crimes of the kings? what is the present moral character of the citizens of the united states? I need not describe it. It proves too plainly, that the people are as much disposed to vice as their rulers; and that nothing but a vigorous and efficient government can prevent their degenerating into savages, or devouring each other like beasts of prey.

"A simple democracy has been very aptly compared by Mr. Ames, of Massachusetts, to a volcano that contained within its bowels the fiery materials of its own destruction. A citizen of one of the cantons of Switzerland, in the year 1776, refused in my presence to drink 'the commonwealth of America' as a toast, and gave as a reason for it, 'that a simple democracy was the devil's own government.' The experience of the American states, under the present confederation, has, in too many instances, justified these two accounts of a simple popular government.

"It would have been a truth, if Mr. Locke had not said it, that where there is no law, there can be no liberty; and nothing deserves the name of law but that which is certain, and universal in its operation, upon all the members of the community.

"To look up to a government that establishes justice, insures order, cherishes virtue, secures property, and protects from every species of violence, affords a pleasure that can only be exceeded by looking up, in all circumstances, to an over-ruling providence. Such a pleasure, I hope, is before us and our posterity, under the influence of the new government.

"The dimensions of the human mind are apt to be regulated by the extent and objects of the government under which it is formed. Think then, my friend, of the expansion and dignity the American mind will acquire, by having its powers transferred from the contracted objects of a state, to the more unbounded objects of a national government!—A citizen and a legislator of the free and united States of America, will be one of the first characters in the world.

"I would not have you suppose, after what I have written, that I be-

lieve the new government to be without faults. I can see them—yet not in any of the writings or speeches of the persons who are opposed to it. But who ever saw anything perfect come from the hands of man? it realises, notwithstanding, in a great degree, every wish I ever entertained, in every stage of the revolution, for the happiness of my country; for you know, that I have acquired no new opinions or principles, upon the subject of republics, by the sorrowful events we have lately witnessed in America. In the year 1776, I lost the confidence of the people of Pennsylvania, by openly exposing the dangers of a simple democracy, and declaring myself an advocate for a government composed of three legislative branches.



*Address to the people of Maryland.*

THE following facts, disclosing the conduct of the late convention of Maryland, are submitted to the serious consideration of the citizens of the state.

On Monday, the 21st of April, the convention met in Annapolis, and elected the honourable George Plater, esq. president. On Tuesday, they established rules for the conduct of business; and, on the same day, the following question was propounded to the convention:

"When a motion is made and seconded, the matter of the motion shall receive a determination by the question, or be postponed, by general consent, or the previous question, before any other motion shall be received."

And the following question, viz.

"Every question shall be entered on the journal: and the yeas and nays may be called for, by any member, on any question, and the name of the member requiring them, shall be entered on the journal."



Which two questions, the convention determined in the negative.

On Wednesday, the proposed plan of government was read the first time, and thereupon it was resolved, "That this convention will not enter into any resolution upon any particular part of the proposed plan of federal government for the united states: but that the whole thereof shall be read through a second time, after which, the subject may be fully debated and considered; and then the president shall put the question, "That this convention do assent to and ratify the same constitution." On which question, the yeas and nays shall be taken.

On Thursday, the members who were opposed to the ratification of the constitution, without such previous amendments could be obtained, as they thought essentially necessary to secure the liberty and happiness of the people (being confined by the last resolution to consider in one view the whole of the plan of government) stated some of their objections to the constitution. The convention met in the evening, when mr. Paca, member from Hartford, having just taken his seat, rose, and informed the president, that he had great objections to the constitution proposed, in its present form, and meant to propose a variety of amendments, not to prevent, but to accompany the ratification; but, having just arrived, he was not ready to lay them before the house; and requested indulgence until the morning, for that purpose. The proposal being seconded, and the house asked if they would give the indulgence, it was granted without a division, and they adjourned for that purpose. On Friday, at the meeting of the house, mr. Paca rose, and informed the president, that, in consequence of the permission of the house, given him the preceding evening, he had pre-

pared certain amendments, which he would read in his place, and then lay on the table, when he was interrupted, and one member from each of the following counties, viz. Frederick, Talbot, Charles, Kent, Somerset, Prince George's, Worcester, Queen-Ann's, Dorchester, Calvert, and Caroline, and one member from the \* city of Annapolis, and one from Baltimore-town, arose in their places, and declared, for themselves and their colleagues, "that they were elected and instructed by the people they represented, to ratify the proposed constitution, and that as speedily as possible, and to do no other act; that after the ratification, their power ceased, and they did not consider themselves as authorized by their constituents to consider any amendments." After this, mr. Paca was not permitted even to read his amendments. The opponents continued to make their objections to the constitution, until Saturday noon. The advocates of the government, although repeatedly called on, and earnestly requested, to answer the objections, if not just, remained inflexibly silent, and called for the question, that "the convention assent to and ratify the proposed plan of federal government for the united states." Which was carried in the affirmative, by sixty-three to eleven.

The vote of ratification having thus passed, mr. Paca again rose, and laid before the convention his propositions for amending the constitution thus adopted, which he had prepared

#### NOTE.

\* The member from the city of Annapolis, did not give it as his opinion, that he was not at liberty to consider amendments; but said he had consulted his colleague, and that his colleague had informed him, the citizens were against amendments.

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by leave of the house; declaring that he had only given his assent to the government under the firm persuasion, and in full confidence, that such amendments would be peaceably obtained, as to enable the people to live happy under the government: that the people of the county he represented, and that he himself, would support the government with such amendments; but, without them, not a man in the state, and no people, would be more firmly opposed to it than himself and those he represented. Sentiments highly favourable to amendments were expressed, and a general murmur of approbation seemed to arise from all parts of the house, expressive of a desire to consider amendments, either in their characters as members of convention, or in their individual capacities as citizens; and the question was put on the following motion:

"Resolved, That a committee be appointed to take into consideration and report to this house on Monday morning next, a draught of such amendments and alterations as may be thought necessary, in the proposed constitution for the united states, to be recommended to the consideration of the people of this state, if approved of by this convention; and Mr. Paca, Mr. Johnson, Mr. S. Chase, Mr. Potts, Mr. Metzer, Mr. Goldsborough, Mr. J. Tilghman, Mr. Hanson, Mr. J. T. Chase, Mr. Lee, Mr. W. Tilghman, Mr. M'Henry, and Mr. G. Gale, be appointed a committee for that purpose."

A division was called for on this resolution, when there appeared sixty-six members for, and not more than seven against it.

And then it was resolved, "That the amendments proposed to the constitution by the delegate from Harford county should be referred to the above committee."

The committee thus appointed, the

convention adjourned to give them time to prepare their propositions; and they proceeded, with every appearance of unanimity, to execute the trust reposed in them.

The following amendments to the proposed constitution were separately agreed to by the committee, most of them by an unanimous vote, and all of them by a great majority.

1. That congress shall exercise no power, but what is expressly delegated by this constitution.

By this amendment, the general powers given to congress by the first and last paragraphs of the 8th sect. of art. 1, and the second paragraph of the 6th article, would be in a great measure restrained; those dangerous expressions, by which the bills of rights and constitutions of the several states may be repealed by the laws of congress, in some degree moderated, and the exercise of constructive powers wholly prevented.

2. That there shall be a trial by jury in all criminal cases, according to the course of proceeding in the state where the offence is committed; and that there be no appeal from matter of fact, or second trial after acquittal; but this provision shall not extend to such cases as may arise in the government of the land or naval forces.

3. That in all actions on debts or contracts, and in all other controversies respecting property, of which the inferior federal courts have jurisdiction, the trial of facts shall be by jury, if required by either party; and that it be expressly declared, that the state courts, in such cases, have a concurrent jurisdiction with the federal courts, with an appeal from either, only as to matter of law, to the supreme federal court, if the matter in dispute be of the value of dollars.

4. That the inferior federal courts shall not have jurisdiction of less than

dollars : and there may be an appeal in all cases of revenue, as well to matter of fact as law ; and congress may give the state courts jurisdiction of revenue cases, for such sums, and in such manner, as they may think proper.

5. That in all cases of trespasses done within the body of a county, and within the inferior federal jurisdiction, the party injured shall be entitled to trial by jury in the state where the injury shall be committed ; and that it be expressly declared, that the state courts, in such cases, shall have concurrent jurisdiction with the federal courts ; and there shall be no appeal from either, except on matter of law ; and that no person be exempt from such jurisdiction and trial, but ambassadors and ministers privileged by the law of nations.

6. That the federal courts shall not be entitled to jurisdiction by fictions or collusion.

7. That the federal judges do not hold any other office of profit, or receive the profits of any other office under congress, during the time they hold their commission.

The great objects of these amendments were first. To secure the trial by jury in all cases, the boasted birth-right of Englishmen, and their descendants, and the palladium of civil liberty ; and to prevent the appeal from fact, which not only destroys that trial in civil cases, but, by construction, may also elude it in criminal cases ; a mode of proceeding both expensive and burdensome, and which by blending law with fact, will destroy all check on the judiciary authority, render it almost impossible to convict judges of corruption, and may lay the foundation of that gradual and silent attack on individuals, by which the approaches of tyranny become irresistible. 2d. To give a concurrent jurisdiction to the state

courts, in order that congress may not be compelled, as they will be under the present form, to establish inferior federal courts, which, if not numerous, will be inconvenient, and if numerous, very expensive ; the circumstances of the people being unequal to the increased expense of double courts, and double officers ; an arrangement that will render the law so complicated and confused, that few men can know how to conduct themselves with safety to their persons or property, the great and only security of freemen. 3dly. To give such jurisdiction to the state courts, that transient foreigners, and persons from other states, committing injuries, in this state, may be amenable to the state whose laws they violate, and whose citizens they injure. 4th. To prevent an extension of the federal jurisdiction, which may, and in all probability will, swallow up the state jurisdictions, and consequently sap those rules of descent and regulations of personal property, by which men hold their estates ; and lastly, to secure the independence of the federal judges, to whom the happiness of the people of this great continent will be so greatly committed by the extensive powers assigned them.

8. That all warrants without oath, or affirmation of a person conscientiously scrupulous of taking an oath, to search suspected places, or seize any person or his property, are grievous and oppressive : and all general warrants to search suspected places, or to apprehend any person suspected, without naming or describing the place or person in special, are dangerous, and ought not to be granted.

This amendment was considered indispensable by many of the committee ; for congress having the power of laying excises, the horror of a free people, by which our dwelling houses, those castles considered so sacred by the English law, will be laid open

to the insolence and oppression of office, there could be no constitutional check provided, that would prove so effectual a safeguard to our citizens. General warrants, too, the great engine by which power may destroy those individuals who resist usurpation, are also hereby forbid to those magistrates who are to administer the general government.

9. That no soldier be enlisted for a longer time than four years, except in time of war, and then only during the war.

10. That soldiers be not quartered in time of peace upon private houses, without the consent of the owners.

11. That no mutiny bill continue in force longer than two years.

These were the only checks that could be obtained against the unlimited power of raising and regulating standing armies, the natural enemies to freedom: and even with these restrictions, the new congress will not be under such constitutional restraints as the parliament of Great Britain—restraints, which our ancestors have bled to establish, and which have hitherto preserved the liberty of their posterity.

12. That the freedom of the press be inviolably preserved.

In prosecutions in the federal courts for libels, the constitutional preservation of this great and fundamental right, may prove invaluable.

13. That the militia shall not be subject to martial law, except in time of war, invasion, or rebellion.

This provision to restrain the powers of congress over the militia, although by no means so ample as that provided by magna charta, and the other great fundamental and constitutional laws of Great Britain, (it being contrary to magna charta, to punish a freeman by martial law in time of peace, and murder, to execute him) yet it may prove an inestimable check; for all other provisions in

favour of the rights of men, would be vain and nugatory, if the power of subjecting all men, able to bear arms, to martial law at any moment, should remain vested in congress.

Thus far the amendments were agreed to.

The following amendments were laid before the committee, and negatived by a majority.

1. That the militia, unless selected by lot, or voluntarily enlisted, shall not be marched beyond the limits of an adjoining state, without the consent of their legislature or executive.

2. That the congress shall have no power to alter or change the time, place, or manner of holding elections for senators or representatives, unless a state shall neglect to make regulations, or to execute its regulations, or shall be prevented by invasion or rebellion; in which cases, only, congress may interfere, until the cause be removed.

3. That in every law of congress, imposing direct taxes, the collection thereof shall be suspended for a certain reasonable time, therein limited; and on payment of the sum by any state, by the time appointed, such taxes shall not be collected.

4. That no standing army shall be kept up in time of peace, unless with the consent of two thirds of the members present, of each branch of congress.

5. That the president shall not command the army in person, without the consent of congress.

6. That no treaty shall be effectual to repeal or abrogate the constitutions or bills of rights of the states, or any part of them.

7. That no regulation of commerce or navigation act, shall be made, unless with the consent of two thirds of the members of each branch of congress.

8. That no member of congress shall be eligible to any office of pro-

fit under congress, during the time for which he shall be appointed.

9. That congress shall have no power to lay a poll-tax.

10. That no person conscientiously scrupulous of bearing arms in any case, shall be compelled personally to serve as a soldier.

11. That there be a responsible council to the president.

12. That there be no national religion established by law; but that all persons be equally entitled to protection in their religious liberty.

13. That all imposts and duties laid by congress shall be placed to the credit of the state in which the same shall be collected, and be deducted out of such state's quota of the common or general expenses of government.

14. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

15. That it be declared, that all persons entrusted with the legislative or executive powers of government, are the trustees and servants of the public, and, as such, accountable for their conduct. Wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government: the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

The committee having proceeded thus far, all the members who voted for the ratification, declared, that they would engage themselves under every tie of honour, to support the amendments they had agreed to, both in their public and private characters, until they should become a part of the general government; but a great majority of them insisted on this express

condition, that none of the propositions rejected, or any others, should be laid before the convention for their consideration, except those the committee had so agreed to.

The gentlemen of the minority, who had made the propositions which had been rejected, reduced to the necessity of accommodating their sentiments to the majority, through fear of obtaining no security whatever for the people—notwithstanding they considered all the amendments as highly important to the welfare and happiness of the citizens of the states, yet to conciliate, they agreed to confine themselves to the first three of those propositions, and solemnly declared and pledged themselves, that if these were added, and supported by the other gentlemen, they would not only cease to oppose the government, but give all their assistance to carry it into execution, so amended. Finally, they only required liberty to take the sense of the convention on the three first propositions, agreeing that they would hold themselves bound by the decision of a majority of that body.

The first of these objections, concerning the militia, they considered as essential; for to march beyond the limits of a neighbouring state, the general militia, who consist of so many poor people that can ill be spared from their families and domestic concerns, by power of congress, who could know nothing of their circumstances, without consent of their own legislature or executive, ought to be restrained.

The second objection, respecting the power of congress to alter elections, they thought indispensable. Montesquieu says, that the rights of election should be established unalterably by fundamental laws, in a free government.

The third objection, concerning previous requisition, they conceived

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highly important; they thought if the money, required by direct taxation, could be paid with certainty and in due time to congress, that every good consequence would be secured to the union, and the people of the state thereby relieved from the great inconvenience and expense of a double collection, and a double set of tax-gatherers; and they might also get rid of those odious taxes by excise and poll, without injury to the general government.

They were, however, again proposed and rejected.

Affirmative—Mr. Paca, mr. Johnson, mr. Mercer, mr. J. T. Chafe, mr. S. Chafe.

Negative—Mr. Lee, mr. Potts, mr. Goldsborough, mr. J. Tilghman, mr. W. Tilghman, mr. Hanson, mr. G. Gale, mr. M<sup>c</sup>Henry.

Previous to this, a motion was made on Monday the 29th, in the convention, while the committee were sitting, in the following words, to wit: "Resolved, that this convention will consider of no propositions for amendment of the federal government, except such as shall be submitted to them by the committee of thirteen."

The committee being sent for by the convention, the gentlemen of the majority in committee then determined, that they would make no report of any amendments whatever, not even of those which they had almost unanimously agreed to, and the committee, under those circumstances, attended the house. Mr. Paca, as chairman, stated to the convention what had passed in the committee; read the amendments which had there been agreed to; and assigned the reason why no report had been formally made. A member then rose, and proposed that a vote of thanks to the president, which had been once read before the attendance of the committee, should have a second reading; and upon the second reading thereof,

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the previous question was called for by the members who wished to consider the amendments agreed to by the committee, and such other amendments as might be proposed. The house thereupon divided, and the yeas and nays were called for by the minority; the sense of the convention was taken thereon: and a majority determined that the yeas and nays should not be taken, nor would they permit the vote to be entered on the journal, by which the yeas and nays were prohibited: to preclude the consideration of any amendments.

A motion was then made, "that the convention adjourn without day," on which the yeas and nays were taken, and appeared as follow:

AFFIRMATIVE. The hon. the president, messrs. Barns, Chilton, Sewel, W. Tilghman, Yates, Granger, Chesley, Smith, Brown, Turner, Stone, Goldsborough, Stevens, G. Gale, Waggaman, Stewart, J. Gale, Sullivan, Shaw, Gilpin, Hollingworth, Heron, Evans, O. Sprigg, Hall, Diggers, Hanson, J. Tilghman, Hollyday, Hemfley, Morris, Lee, Potts, Faw, J. Richardson, Edmondson, M<sup>c</sup>Henry, Coulter, T. Sprigg, Stull, Rawlins, Shryock, Cramphin, Thomas, Deakins, Edwards.

NEGATIVE. Messrs. Perkins, J. T. Chafe, S. Chafe, Mercer, Wilkinfon, Grahame, Parnham, Ridgely, Cockey, Cromwell, Lloyd, Hammond, Bowie, Carroll, Seney, Chailé, Martin, Done, Johnson, Paca, Love, Pinckney, L. Martin, W. Richardson, Driver, and Harrison.

We consider the proposed form of national government as very defective, and that the liberty and happiness of the people will be endangered if the system be not greatly changed and altered. The amendments agreed to by the committee, and those proposed by the minority are now laid before you for your consideration.

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tion, that you may express your sense as to such alterations as you may think proper to be made in the new constitution.

We remain persuaded, that the importance of the alterations proposed, calculated to preserve public liberty, by those checks on power which the experience of ages has rendered venerable, and to promote the happiness of the people by a due attention to their ease and convenience, will justify the steps we have taken to obtain them, to our constituents, and the world.

Having no interest that can distinguish us from the rest of the community, we neither fear censure, nor with applause. Having thus discharged the duty of citizens and trustees of the public, we shall now submit to the people those precautions and securities, which, after mature reflexion on this momentous subject, we deem necessary for their safety and happiness.

May the all-wise and omnipotent Being, who made us masters of a fair and fruitful empire, inspire us with wisdom and fortitude to perpetuate to posterity, that freedom which we received from our fathers!

William Paca,	} Members of the committee,
Samuel Chase,	
John F. Mercer,	
Jeremiah T. Chase.	
John Love,	} Members of convention.
Charles Ridgely,	
Edward Cockey,	
Nathan Cromwell,	
Charles Ridgely, of Wm.	
Luther Martin,	
Benjamin Harrison,	
William Pinckney,	

*Mr. Printer,*

**I**N the address to the people of Maryland, there is a mistake, relative to the declaration of the mem-

ber from the city. His meaning was, and he thinks his express words were, that upon consulting his colleague respecting amendments to the federal government, he was of opinion, that the representatives of the city were not authorized to consider, or agree to amendments; and not, that the citizens were against any, the expression used in the above address. His colleague observed, that the matter had never been submitted to their constituents, and they having made no express declaration, he did not consider the delegation of the city at liberty to act in this particular. It may be remembered that this declaration of the member from the city, was made at that period, when the idea was, that the amendments agreed to, should accompany the instrument of ratification to New-York, and not in the latter stage of the business, when the idea was dropped, and it was proposed to refer them to the consideration of the people, from whom, if approved of, they were to pass to congress through the medium of the legislature.

*Annapolis, May 7, 1788.*

*Address to the honourable the members of the convention of Virginia.—Ascribed to Tench Coxe, esq.*

**B**Y the special delegation of the people of your respectable commonwealth, you are shortly to determine on the fate of the proposed constitution of federal government. First invited to that important measure by the resolutions of your legislature, from the wisest considerations, America, confiding in the steadiness of your patriotism, and feeling that new weight is daily given to your original inducements, doubts not it is now to receive your sanction. But before the awful determination which

is to call more into finally respectul pass a few patience.

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It has and respec five state sented in me to r have but present u in ninety Suffer n the unite it might sonable, could ha ber of v purposes election. find it persons sideration lature, that the should t electing By the enjoy t votes a being th ber of l ducted in the f it woul vote in the pre ved, at

is to call the American union once more into political existence, shall be finally taken, permit one of the most respectful of your countrymen to trespass a few minutes on your time and patience.

The qualities of the proposed government have been so fully explained, and it will receive such further exposition in your honourable body, that it is needless to attempt a regular discussion of the subject. This paper shall, therefore, be confined to a few particular considerations that have been already mentioned by others, or which may now be suggested for the first time.

It has been urged, by some sensible and respectable men, that your extensive state will not be properly represented in the federal senate. Permit me to remind you, that, altho' you have but one vote of thirteen in the present union, you will have twelve in ninety-one in the new confederacy. Suffer me to observe, too, that, as the united states are free governments, it might not have been very unreasonable, if the people of Virginia could have given only the same number of votes, at an election for federal purposes, as they can give at a state election. If the citizens of Virginia find it wise and prudent, that free persons only shall be taken into consideration, in electing their state legislature, would it appear extraordinary, that the citizens of the united states should think the same rule proper in electing the federal representatives? By the present arrangement, you may enjoy the weight and power of five votes and a half for 168,000 slaves, being three fifths of your whole number of blacks. Were these to be deducted from the votes of Virginia, in the federal house of representatives, it would leave little more than one vote in thirteen, in that house. In the present congress, as before observed, and in the proposed senate, a

thirteenth vote is allotted to Virginia. Taking the number of free citizens, which is the proper rule of representation in free governments, Virginia, in the federal representation, would have about as many votes as New York, and fewer than Massachusetts or Pennsylvania. It will be proper to consider, too, the effect of the erection of Kentucke into a separate state, and of her becoming another member of the new confederacy. When that certain event shall take place, Virginia will fail considerably short of the proportion of one in fourteen of the free white inhabitants of the united states. Impartially considering this true state of things, the opinion, that Virginia will hold a share of the powers of the new government, less than she is entitled to, will appear to be erroneous. If, on examination, these facts shall be found to be stated with accuracy and candour, and the observations and reasonings upon them shall appear just and fair, we confidently trust your honourable house will not consider the proposed constitution as exceptionable in that particular.

Objections have been made, by some very respectable gentleman of your state, to the power of congress, under the new federal constitution, to regulate trade "by a bare majority." In a free government, the voice of the people, expressed by the votes of a majority, must be the rule; or we shall be left without any certain mode to determine what is politically right. To depart from it, is establishing tyranny by law. It would be a solemn renunciation of the forms and substance of liberty; and our affairs, on this dangerous principle, must rapidly hasten to an oligarchy—the most dreadful of all governments. It would be in vain to say, we might be restrained by one third, in commercial cases, and free in all others. The precedent once established, it requires

no prophetic gift to foresee where it would end. But, independent of the violation of this great principle of free governments, the objection and the apprehensions arising from it are founded on a misconception of the true nature of affairs in all the states. The landed interest must ever possess a commanding majority in the state and federal legislatures. It was supposed the objection ought to have great weight in the five southern states. But we do not find it has been even mentioned, in the Maryland or Georgia conventions, the only two of them which have yet determined on the constitution, nor was it noticed in New Jersey or Delaware, which are the least commercial members of the confederacy. Four of the agricultural states have considered this objection and these fears as unfounded, for they have adopted the constitution with only eleven dissentient votes.

The rejection of the government by the state of Virginia, should eight states have previously adopted it, is a matter (permit me respectfully to observe) the possible consequences of which should be most seriously considered. Should a ninth state ratify the constitution, after you have declined to do so, it will become a binding compact—an operative system. The American states would deeply regret a circumstance, that should place a most respectable member of the present union, and a natural born elder sister, in the character of an alien: and a late and reluctant adoption, not arising altogether from free choice and national affection, would exceedingly abate that cordial joy, which will flow throughout the land at the early adoption of the proposed constitution by your ancient state, whence the first call to independence was boldly given, and whence first arose this great attempt to cement and invigorate the union.

The united states, whatever has been the cause of past events, may certainly become a nation of great respectability and power. But such is the effect of our distracted politics, and of the feebleness of our general government, that foreign powers openly declare their unwillingness to treat with us, while our affairs remain on the present footing. However favourable or friendly they may think our intentions towards them, they know we have no constitutional powers to execute our own desires, even within our own dominions. Senators of no inconsiderable reputation in the British parliament have told the world, they can make no fixed arrangements with us, under the present confederation. The ministers of France, which nation has lately evinced the continuance of her friendship, by new privileges to our trade, declare they cannot proceed to the extent of their desires, since no power exists to treat upon national ground. The court of Spain, too, however they might be influenced by a firm and respectable union, will never listen to our demands for the navigation of the Mississippi, while we remain in our present unconnected situation. We are no object even of respect to them, much less of apprehension; and should the present constitution be rejected, they will laugh at all future attempts to continue or invigorate the union. Our minister, at that court, expects to effect no arrangements there, without an efficient government being first adopted here.

It has been objected to the proposed federal constitution, that it tends to render our country more vulnerable, by admitting the further importation of slaves. To persons not accurately acquainted with the whole of the American constitutions, this objection may appear of weight. But when it is canvassed before so

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enlightened an assembly as the convention of Virginia, the mistake will be instantly discovered. It will be remembered that ten of the states, and Virginia among the number, have already prohibited the further importation of slaves, and that the powers of the legislature of each state, even after the adoption of the constitution, will not only remain competent to the prohibition of the slave trade, but (if they find the measure wise and safe) to the emancipation of the slaves already among us. It may be added further, that the exercise of this power of the state governments, can in no wise be controuled or restrained, by the federal legislature.

Should the present attempt to infuse new vigour into the general government fail of success, partial confederacies must at once follow. The states on the Delaware, central in their situation, and (though not superabundantly rich) perfectly independent in their resources, will find themselves bound together by their position on the globe, by a perfect similarity of manners and interests, by the preservation of their common peace and safety, and by the innumerable ties of blood and marriage subsisting between them. A frank and liberal concession of the impost on the part of Pennsylvania, will render the inducements complete. The sentiments of the state of Maryland on the proposed government, and their existing connexions with Pennsylvania and Delaware, from each of which they are divided only by an imaginary line, will turn their inclinations that way. Rather than connect themselves with a southern country, between which and them a great natural boundary is interposed, and which is rendered vulnerable, by two hundred and eighty thousand slaves, they will find it prudent, as well as agreeable, to join their northern neighbours. Should Penn-

sylvania offer to aggrandize the ports of Maryland, by opening to her the extensive navigation of the Susquehanna, whose various branches water many millions of acres of fertile lands, prudence and interest will powerfully persuade Maryland to join the middle confederacy. Should the views and positions of this central and consolidated connexion be liberal and just, accessions of very considerable importance may be hoped for from the northern and southern states. What particular benefits then can Virginia reasonably expect from that dissolution of the confederacy, which must follow the rejection of the proposed plan?

The various parts of the North American continent are formed by nature for the most intimate union. The facilities of our navigation render the communication between the ports of Georgia and New-Hampshire, infinitely more expeditious and practicable, than between those of Provence and Picardy, in France; Cornwall and Caithness, in Great Britain; or Galicia and Catalonia, in Spain. The canal, proposed at South-key, Susquehanna, and Delaware, will open a communication from the Carolinas to the western counties of Pennsylvania and New York. The improvements of the Potowmac will give a passage from those southern states to the western parts of Virginia, Maryland, Pennsylvania, and even to the lakes. The canals of Delaware and Chesapeake will open the communication from South Carolina to New Jersey, Delaware, the most populous parts of Pennsylvania, and the midland counties of New York. These important works might be effected for two hundred thousand guineas, and America would thereby be converted into a cluster of large and fertile islands, easily communicating with each other, without expense, and, in



many instances, without the uncertainty or dangers of the sea. The voice of nature therefore directs us to be affectionate associates in peace, and firm supporters in war. As we cannot mistake her injunctions, to disobey them would be criminal.

The distracted state of our affairs has exceedingly retarded population and manufactures, and interrupted the influx of knowledge and riches. At the return of peace, the European world viewed America with the tender and respectful admiration of a lover to his mistress. Their peasantry and manufacturers, their merchants and philosophers, were seized with an irresistible desire to visit our shores, and many of them looked towards this country as another land of promise, to spend the remainder of their days. What has prevented their realising these fond ideas? The insecurity of property, the breach or suspension of public and private obligations, paper tenders, insurrections against state governments of our own choice, contentions among the states, and a total disregard of the most salutary and just demands of the general government. They knew us to be a people capable of great exertions. They saw we possessed a country replete with the means of private happiness and national importance, but they saw too that these inestimable properties of the Americans and their dominions were not brought into any use, from the defects of our political arrangements, and the enormous abuses in our administration. Their beloved mistress having fallen from the heights of virtue, and become a wanton they turned from her with disgust and bitterness. Ye friends of religion and morality! Ye lovers of liberty and mankind! will ye not seize this opportunity proffered you by the bounty of heaven, and save your country from contempt and wretchedness?

The voice of the people, say the most noble champions of freedom, is the voice of God. Before the ratification of the new government by the state of Maryland, the constituents of the conventions, which had then adopted it, were a majority of the free people of the united states. Viewing us as one nation, the constitution had then received the solemn authoritative sanction of the people. But as Maryland has since added her number, and as it is next to certain that the adoption of South Carolina will take place before the rising of your honourable house, you will view the constitution as ratified by nearly two thirds of the union. After that event, you will find, too, that of eight conventions, which have determined on it, all have given it their approbation, and among them, two, containing larger numbers of free citizens than any three that are yet to decide. Rhode Island, we know, has rejected the government in an informal way; but we cannot injure you, even for a moment, by supposing that their principles and conduct could ever have insinuated themselves into your minds. We trust you will concur with us in thinking, that as the confederate approbation of the wise and good is a fair argument in favour of a public measure, so is its deliberate rejection by the weak and wicked.

The capacities of some parts of America are admirably adapted to supply the wants of others. New England, destitute of iron, and deficient in grain, can be plentifully supplied with both by the middle states. Possessed of the fisheries, and strongly inclined to ship-building and navigation, she can be furnished with the choicest timber from the Carolinas and Georgia. The southern states, so intersected by great waters, as to lie exposed to the depredations of the most contemptible fleets, and crowded with a danger-

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ous species of population, when proper arrangements shall be made, and occasion shall require, can rely on the most useful and friendly aid from the north. The future wars among the naval powers of Europe will probably be general. When the house of Bourbon, shall contend with Great Britain for the dominion of the ocean, Holland, Sweden, Denmark and Portugal, will seldom be unconcerned spectators. The prosperity of agriculture in the southern states, in the event of a general war in Europe, will depend on the shipping of the middle and eastern states; for the belligerent powers will navigate under a very high insurance, and their ships will moreover be a precarious dependence, from the innumerable accidents of war. It may be said, the southern states will have shipping of their own, of which there can be no doubt, so far as the state of commerce may render them profitable in time of peace; but the sudden and vigorous exertions of the states inhabited by free whites, can alone furnish an immediate supply for the retiring vessels of the belligerent foreigners.

Were we to suppose for a moment that Virginia had rejected the proposed constitution, and that Georgia, South Carolina, and Maryland were members of the new confederacy, the agricultural interests of Virginia would be exceedingly injured. The supplies of tobacco, furs, wheat, flour, cotton, corn, naval stores and timber, required for the consumption, manufactures, and ships of the new union, would doubtless be taken from the states that should belong to it, while the interfering produce of Virginia probably would not be admitted; or, if admitted, would be liable to the foreign impost of five per cent. Every hundred of her tobacco would pay one fourth of a dollar in Boston, New York or Philadelphia,

every barrel of her flour one fifth of a dollar, every hundred weight of her cotton a dollar and two thirds, every bushel of her wheat, above two pence sterling; a tax greatly superior in value to the revenue imposed, under her present laws, on the exportation of her own produce. Besides this, the expense of maintaining a separate establishment in government at home and abroad would come heavily on Virginia and those states that might join a small confederacy. This expense, we may almost venture to affirm, would be insupportable, especially when we consider the present state of money matters in every part of America.

Should Virginia entertain the idea of a small confederacy, would it not be wise to consider, who would probably unite in it, and upon what terms? From the debates in the Connecticut and Massachusetts conventions, as well as the dispositions and habits of those genuine republicans, is it probable that they would consent to give you a share of power, greater than your proportion of free white inhabitants? or is it probable, that your nearest neighbour, North Carolina, would consent to it, without your paying into the common treasury the neat proceeds of all duties on imports and exports, a great part of which is raised on their consumption of foreign articles, and the produce of their farms? It would now be in vain, should New York refuse a share of her impost to Connecticut and New Jersey, or Pennsylvania a share of hers to New Jersey and Delaware; or Virginia a share of hers to North Carolina. It is an idea as just, as it is generous and liberal, that the imposts of the united states should go into a common treasury, belonging to all who pay them, by being the consumers: and if North Carolina has a clear conception of her

most evident interests, she must make this article a *fine qua non* in any compact that may be proposed to her by your state.

It will be urged, perhaps, that property should be represented, and that though Virginia has only 250,000 free inhabitants, your representation should still be greater than that of Massachusetts and Pennsylvania, because you are richer. But surely this argument will not be urged by the friends of equal liberty among the people. It will not be openly objected against the proposed constitution, that it secures the equal liberties of the poor. But suppose for a moment, a claim for a representation of property were admissible before an assembly of the free and equal citizens of America, will not Virginia enjoy the advantage of two votes more in the federal government than either Massachusetts or Pennsylvania, though each of those states has 108,000 free citizens more than yours? If we were represented by that only rule of republics, for your ten representatives, Massachusetts would have more than fourteen, and Pennsylvania the same number, while both of them are limited to eight. Here then we see the balance of property, said to be in favour of Virginia, has procured her three fourths as much extra power, as the lives, liberties, and property of all the people of Massachusetts or Pennsylvania. Power has been given to your state with no sparing hand. You (suffer me respectfully to say so) of all the members of the union, appear to have the least cause of complaint. Permit me to remind you of the objections made on this ground by Mr. Martin, of Maryland. The opposition there asserted that the great states had too large a share of power; and you have the most of all. The same sentiments were urged in the Connecticut convention. Is it probable then that an

allotment of power more favourable to you would be made by a new convention? I submit to your candour whether you ought to ask a greater share. A comparison, in point of wealth and resources, between your state and any other, is a matter I wish to touch with delicacy. I mean not to offend, but you would despise a freeman, that would decline the decent expression of his thoughts on so momentous an occasion. I would submit to you, whether the energy of 250,000 whites in a southern climate, surrounded by more than as many slaves, can be, or rather is it equal to that of the same number in a northern climate? Whether two or three negroes in Virginia will be found equal to one yeoman or manufacturer of Pennsylvania or Massachusetts? Whether the ships, mercantile capitals, houses and monied corporations of Philadelphia, with her growing manufactures and connexions in foreign commerce, may not be placed in the scale against the balance of wealth you may be thought to possess, when Kentucky shall become an independent member of the American union?

But, gentlemen, it will be improper to trespass longer on your valuable time, devoted as it is to the most important concerns of Virginia, America,—and mankind. Let me intreat you only to bear in mind the wide difference that exists in the opinions and views of those who oppose the new constitution. You will find they differ as much from each other, as they dissent from the friends of the plan. Were there no other people in America but the opposers of the proposed government, it will appear, on a fair statement of their various views and objections, that any constitution which could be formed on the principles of those in some states, would meet with as much disapprobation by those in others, as they have deemed it ne-

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necessary to show to the propositions of the federal convention. Consider then, in the event of your rejection, in what a condition we shall be left—into what a situation we may be thrown! thirteen jarring sovereignties—two or three contending confederacies—or a feeble union—will be the miserable and hopeless alternatives. The measure of foreign contempt will be filled up. Insult will naturally follow, and then injuries abroad—while the certain dangers to liberty, property, and peace, at home, will sink every American, however firm, into despondency, or drive him to despair. But this will be too much. —The convention of Virginia will never be instrumental in bringing such evils on the united states. No.—We will confidently hope that those among you, who do not altogether approve the proposed government, will yet concur in the measure, to save their country from anarchy and ruin. They will remember the provision to obtain amendments, and will recollect that the power will continue with the people at large in all time to come. May 21, 1788.



*Remarks on the conduct of Spain, with respect to the navigation of the river Mississippi.*

A COMPANY of about forty persons set off early last summer from Augusta, for the Natchez: they went through the Creeks' towns, who not knowing who they were, nor their business, suffered them to pass without molestation; but soon sent a party after them, to cut them off: happily our people had got into the plains, on the western side of the mountains, before the Indian party could come up with them; and disappointed in their expectations of way-laying them in the defiles, they dropt the pursuit.

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On their arrival at the Natchez, they found the garrison of the fort to consist only of a captain's command, about forty men. The lieutenant governor was rather alarmed at their visit, and in a short time a reinforcement of three hundred regulars came up. The first uneasiness of the commandant having subsided, our people were treated with politeness, but not suffered to do any business with the inhabitants, especially in the land way.

By what could be learned from the lieutenant governor, they had no prohibition from the court of Spain, to deliver up the fort and the territory on the Mississippi, down to the 31<sup>st</sup> north latitude; but at the same time, they had received no orders for complying with that part of the last general treaty of peace.

The commandant, by way of conversation, assured our people, that if the ministry of Spain knew as well as he did, the value of that most fertile country, they would never give it up until driven from it by a superior force: a spirited American gentleman replied to him, "it would be a very unpolitical step; for should the united states be compelled to be at the expense of sending an army to possess themselves of the Natchez (their undoubted right) he could not expect the Americans would stop at the 31<sup>st</sup> latitude; that nothing short of all West Florida, down to the very mouth of the Mississippi, would satisfy them for the unnecessary expence they would have been put to, by the noncompliance of Spain with the treaty."

The Spaniards claim all the territory lying west of the Apalachian mountains, as far up as the mouth of the Ohio, comprehending the back parts of Georgia, South-Carolina, North-Carolina, and part of Virginia; the very same claim as that of the French, when in possession of Ca-

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nada and Louisiana, and which was the cause of the war in 1755.

The absurdity of these pretensions is so evident, that the Spanish government will never attempt to assert them. However, we ought to lose no time in insisting on a definitive answer from his most catholic majesty, on the evacuation of fort Natchez, and the cession of the territory, down to the 31<sup>o</sup> north latitude, agreeable to the tenor of the last treaty of peace: on a refusal from Spain, congress's ultimatum should be notified by our minister, containing a positive declaration, that we will do that justice to ourselves which is denied us by them. No danger can arise from such spirited measures; for the weakness of the Spaniards, both in Florida and Louisiana, will not permit them to enter into an unjust contention, which would endanger even their rich empire of Mexico; and the more so, as they have a formidable intestine enemy in all the natives of South America, who most undoubtedly would not lose the favourable opportunity of hostilities between Spain and America, in Louisiana, to contend for, and wrest that independency from Old Spain which they have been struggling for, many years. Besides, Spain could expect no assistance from other powers; as France, England, and Holland, are guaranties of the treaty, an infringement of which, by Spain, would be the motive of the rupture.

Should Spain, deaf to all these considerations, be so blind to her own interest, at the same time, in defence of our own, to take up arms against her, it is in the natural order of things to presume, that the event would prove the ruin of the Spanish monarchy, and raise the glory and prosperity of the united states. As it would degrade us in the eyes of Europe, to commence hostilities on Spain without any just cause, so it

would equally reflect the greatest dishonour on us, to tamely submit to this breach of faith from the Spaniards.

A war with Spain, to which we may be compelled, in vindication of our rights, must be of great advantage to America. In lieu, as in the last contest, of fighting in our own country, where we had to supply the enemy's armies, as well as our own, we could make the rich Spanish settlements the theatre of hostilities; our armies would be supplied with their provisions, and paid out of their gold and silver. Two thousand brave Americans, under experienced officers, animated with resentment against those troublesome neighbours, and having in object the conquest of the richest country in the world, would complete, in a few weeks, from their arrival at the Natchez, the reduction of West Florida and Louisiana, in spite of all the Spanish efforts to resist us. Another army of about the same number of men, leaving the first conquerors to defend their new acquisitions at the expense of the same, would carry the war into the very heart of Mexico. An expedition of this consequence would cost little or nothing to the united states, and would insure to us, for ever, the free and undisturbed navigation of the Mississippi, as, by the situation of the country, five hundred men can, at all times, be masters of this river, provided they are in possession of the upper parts of it, from which all supplies must come, and where innumerable fleets might be constructed.

The greatest objection that may be offered to our success, is the deficiency of a navy to protect our trade, and guard our coasts against the enemy's enterprizes. We need no fleet for the conquest proposed, nor to protect them: besides, we have a right to expect assistance from England and

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Holland, agreeable to the treaty ; and France undoubtedly would keep a neutrality. Every power of Europe must be sensible how much it would be to their advantage, that we should be in possession of the gulph of Mexico. Spain will suffer no nation to trade in that rich country ; but becoming part of the united states, all the trading nations would be indiscriminately admitted ; therefore it would be their interest to help us with a navy against Spain : and should it be required, we would be able to pay the expenses with Spanish gold. Whatever steps the maritime powers may take towards us, it is a fact, that the American seas would be covered, on a rupture with Spain, with swarms of privateers from all nations, under the colours of the united states.

Our settlements on the western waters are increasing in strength daily ; near 100 miles on Cumberland river are now settled ; and emigrants from the Carolinas and Virginia, are constantly travelling to Kentucky and Cumberland. Those two settlements, alone, supplied with boats and ammunition, could muster, even now, a force sufficient to make the conquest of Florida and Louisiana ; and thousands of volunteers would run to arms, and would be zealous to join in so promising an expedition.

Should Spain comply fully with the treaty, and only insist on some restriction as to the navigation of the Mississippi, it would perhaps be more political to postpone to a more remote time, all thoughts of conquest.

FABIUS.

*Charleston, April 6, 1786.*

*Circular letter directed to the different courts in the western country.*

*Kentucke, Danville, March 29, 1787.*

*Gentlemen,*

A Respectable number of the inhabitants of this district having met at this place, being greatly alarmed at the late procedure of congress, in proposing to cede to the Spanish court, the navigation of the Mississippi river, for 25 or 30 years, have directed us to address the inhabitants on the western waters, and inform them of the measures which it is proposed for this district to adopt.

The inhabitants of the several counties in this district, will be requested to elect five members in each county, to meet at Danville, on the first Monday in May, to take up the consideration of this project of congress ; to prepare a spirited, but decent remonstrance against the cession ; to appoint a committee of correspondence, to communicate with one already established on the Monongahela, or any other that may be constituted ; to appoint delegates to meet representatives from the several districts on the western waters in convention, should a convention be deemed necessary ; and to adopt such other measures, as shall be most conducive to our happiness. As we conceive that all the inhabitants residing on the western waters, are equally affected by this partial conduct of congress, we doubt not but they will readily approve of our conduct, and cheerfully adopt a similar system, to prevent a measure which tends to almost a total destruction of the western country. This is a subject that requires no comment—the injustice of the measure is glaring—and as the inhabitants of this district wish to unite their efforts, to oppose the cession of the navigation of the Mississippi, with those of their brethren residing



on the western waters, we hope to see such an exertion made, upon this important occasion, as may convince congress, that the inhabitants of the western country are united in the opposition, and consider themselves entitled to all the privileges of freemen, and those blessings procured by the revolution; and will not tamely submit to an act of oppression, which would tend to a deprivation of our just rights and privileges.

We are, gentlemen, with respect,  
your most obedient servants,

GEORGE MUTER,  
HARRY INNES,  
J. BROWN,  
BENJ. SEBASTION.



*Letter from captain John Sullivan,  
late of the continental army, to the  
Spanish minister at New York.*

*State of Georgia, frontier of the  
Creek nation, March 1, 1787.*

May it please your excellency,  
**H**AVING waited thus far, in expectation of permission to join the Spanish troops in South America, —and having expressed to your excellency an ardent inclination to obtain the more honour of serving in any Spanish regiment, as a volunteer, —which requisitions as they were not complied with in due time, I beg leave to decline the acceptance of any rank or degree in the service of his catholic majesty.

The annals of history must have informed your excellency, that many nations have had abundant reason to deplore the impolicy of those whom they had invellied with the powers of government, in slighting the proffered service of men (however young like myself) whose bent, study, and inclination naturally led to tactical pursuits, and to war; and who af-

terwards arrived to the highest pinnacle of military eminence and glory, at the woful experience of such countries and states, as had rejected those early overtures of service in their armies. Not to talk of the Achaean league, of the Athenian, Spartan, or Theban story, modern history is replete with such proofs; and your excellency cannot but recollect, (however inapplicable, perhaps, the instances may hereafter prove, to a young and insignificant soldier of fortune) what France has suffered from a rejected Eugene; and that Saxe, whose services had been refused by an English court, afterwards fertilized the plains of the Netherlands with the blood and carcasses of slaughtered Britons.

But to the point.

Being a soldier of fortune, as I profess —and having studied, from my infancy, the science of arms —practical war is now my pursuit, as a profession most congenial with my principles and disposition; and thousands of Americans, officers in the late army, pant for an opportunity to serve this country. The banks of the Ohio and the Mississippi are actually alive with the first American characters of this stamp; and called upon from thence, by my heroic brethren of the army, honour, virtue, and the bias of an ancient intercourse and former habits, incline me to assist them. From the Natchez to the Kaskaskies —from Pittsburgh to St. Mary's river —they are prepared to pour forth, with the greatest ease, fifty thousand veterans in arms, in defence of their commercial rights, throughout the navigable rivers of the southern parts of this empire. The grain is actually germinating, sown by the pride, avarice, and folly of a certain power, which the pure air of liberty, working at the root, and the laws of nature, superior to the narrow policy of any fo-

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reign court, must finally and very speedily raise into a host of myrmidons—the children of Enachim—the sons of the earth—refractory in this land, at least by any force that may obstruct their pretensions, or assail them.

The important drama, may it please your excellency, is now approaching—a new drama, in which the tragedians of the well are to appear in the military buskin; and I am invited to act as a character of some consequence among them. Time will show how decisively my part shall be performed. Of this I am sure, that I shall exhibit, to my utmost, the part of a soldier. A very inconsiderable time must call forth to trial the mighty energy of the Ohio and Mississippi: and incidents and events are gradually creeping into birth, which will shortly open a spacious field for a daring spirit to explore.

May it please your excellency, the states of Georgia, Franklin, and Kentucky, confederated—the counties of Bourbon, &c. on the Natchez—the settlements on Cumberland, Kaskaskies, and the Wabash—and the governments of Pittsburgh, Westmoreland, &c.—abound with the seeds of war. Nor will any obstructions, from New Orleans to the Blaise, impede the overwhelming inundation, preparing to pour down along the waters of the Mississippi, into the bay of Mexico. The torrent will be irresistible; the crop is actually in the ground; the harvest is ready for the hook, and the hook for the harvest; the reaper has introduced his sickle; combustibles are laid into a pile: nay, the very brand is already applied, and the fire only requires to be fanned. The permission of congress will not be solicited on this occasion. In congress this people are not represented. I am now on my way to the western waters, where people, too long con-

fined to unnatural boundaries, are ready to float with the current of the Mississippi into the sea; and, with irresistible impetuosity to burst over every artificial barrier and mound, which may obstruct their free passage into the ocean. The Americans are amphibious animals. They cannot be confined to the land alone. Tillage and commerce are their elements. Both, or neither, will they enjoy. Both they will have, or perish.

I have the honour to remain, with the utmost deference, your excellency's most obedient and most humble servant,

JOHN SULLIVAN,  
late captain 4th reg.  
Amer. Lt. Dragoons.

P. S. In the alternative of peace or war, I shall ever entertain the highest respect for your excellency; and should be happy in the continuance of a candid correspondence.

To his excellency the Spanish minister, at New York.

Letter from the writer of the foregoing, to his excellency Thomas Pinckney, esq. governor of the state of South Carolina.

State of Georgia. Flint river,  
frontier of the Spanish dominions,  
Dec. 27, 1787.

May it please your excellency,

I Do myself the honour of addressing your excellency, in pursuance to a communication which has been made to me this day, by a distinguished officer, from the western waters, in as much as that congress have been pleased to dispatch decisive orders to the commander in chief of the continental troops on the Ohio, for the express purpose of

arresting my person—and being assured that similar instructions were transmitted by that hon. body to the executive of South Carolina. My ignorance of any cause from which a mandate of this nature could arise, or on what legal grounds such an extraordinary procedure can possibly be adopted, induces me to solicit, from your excellency, official information of the authenticity of his intelligence. I have too exalted a sense of the wisdom and patriotic principles of most of the federal deputies, to harbour an idea, that my late confidential letter to the minister of Spain, should have operated in this instance—from a solid conviction, that there exists no statuted or implied coercive power in any of the state executives, much less in congress, legally authorizing them to controul that noble prerogative a citizen of America possesses—the prerogative of unfolding his private political opinions to the world at large, to sovereigns even, and to states, but with far less ceremony to the mere representative of any transatlantic monarch.

Your excellency must be perfectly informed, that the constitution of this land confers on every freeman the glorious privilege of addressing kings; and when it is considered, that the freemen of all commonwealths are actual kings themselves, I am led to believe, that the private sentiments, which were imparted in a confidential letter to the minister of Spain, cannot, in consonance to any established rule of law, be brought under the charge of majesty offended.

Events of deep importance to this country and Spain, which are now buried in the womb of time, are insensibly progressing from the crude probability of speculation, to the growth and maturity of fact; and the period cannot be very remote,

when the intrepid Tartar of the west, the inexpugnable Kentuckian and Frank, will dare to proclaim, that the Natchez shall be restored either by negotiation or arms, and that their right to the free navigation of the Mississippi shall be no longer withheld by an indolent, jealous, and impolitic nation. Had his excellency the minister of Spain for a moment reflected that my unimportant sentiments respecting our invaded rights of navigation, were but the simple echo of the voice of nineteen-twentieths of the people of America, and which had long before been published by many distinguished general officers of the late war, now residing on the western waters, his good sense would have pointed out the impropriety of importuning congress on the trivial subject of a letter so perfectly apologetic and confidential—a letter written to himself, and by his having (probably) first committed it to the press, of exhibiting his intended vengeance in so feeble a form before a bantering and sneering universe. No personal consideration shall ever induce me to withdraw from any investigation which may arise on this subject; on the contrary, I will, with cheerfulness, wait the issue of all impeachments of such a nature, conscious that I have not exceeded those limits which the law prescribes; and that freedom of opinion is the inalienable birthright of every citizen or denizen of these states.

If a simple declaration of sentiments on a political question—sentiments unattended with any overt act—sentiments which American citizens daily presume to express to their local sovereigns—can be construed into criminality by any body of men, and by those, in particular, who possess no legislative rights, nor any right, in time of peace, affecting the person of a freeman—such an

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assumption of power must strike at the very existence of liberty. I have, therefore, the strongest conviction, that my letter to the minister of Spain consists in reasoning on contingent events, and that, in strictness of law, the smallest restraint, in matters of a speculative nature, must be a gross usurpation of rights established by the late revolution. Your excellency well recollects, that not many years have elapsed since the Spanish ambassador at the court of St. James's complained of a newspaper insult which was offered to the intellectuals of his royal sovereign. The publication was conformable to general belief; and he was informed, for his satisfaction, by the British court, that the laws of England—laws still prevailing with us—inflicted no punishment on a subject, for using his native privilege of promulgating opinions. The king of England, as little united to us by treaty as the Spanish monarch, has, since the peace, been personally reviled in our prints, and his nation repeatedly menaced with hostilities, in consequence of the unjust retention of the western posts; and yet he was silent. He is legally abused in his own land. Kings, queens, nations, and courts, are there stricken with impunity. What has deprived a citizen of America of the same privilege? No law yet extant has done it.

I am not aware, however, of any deficiency of respect, either by words or actions, which could have originated on my part, in derogation of the minister of Spain; having always entertained the highest veneration for his person and commission.

I respect him not only as an ambassador, but I admire him as a man. I also reverence myself, as a freeman of this enlightened country; and hold in too high estimation the right to canvass freely and discuss all

measures, in which the people, of whom I am a part, are vitally interested, tamely to suffer it to be infringed, by any power, foreign or domestic. Let a law be once established, by which a citizen of America dare not, with impunity, disclose his political opinions, even in the confidence of a private letter, and no person will observe a line of greater caution or reserve in all my future addresses to dignified substitutes.

Passive obedience shall be my invariable creed.

I will then bow before the image of power, and yield such exterior acquiescence, as the prophet of old recommended to his Syrian convert. I will not even consider that congressional mandate extraordinary, which should ordain an annual pilgrimage to an imported, unprocreative jackass, in order to manifest in person my implicit devotion to the congenial attributes of the royal donor.

On this important occasion, I am happy in having the honour to address a soldier of science and distinction, who is perfectly enabled to determine how far any requisition from any external or internal power should be acquiesced with, on the one hand, when the liberty of the citizen evidently preponderates on the other.

I have the honour to remain,  
with profound respect,  
your excellency's most obedient,  
and most humble servant,

JOHN SULLIVAN.

P. S. Enclose my address to the governor of Georgia.

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To the editor of the A. Museum.

SIR,

AS the regulations lately adopted by the court of France, in favour of the commerce of the united

states, will, it is expected, revive the important business of ship-building in this country, you are requested to give the following extracts from a late publication\*, a place in your useful Museum. They serve to show how greatly our interest is connected with a spirited attention to this valuable branch of trade.

W. B.

"THE account of the ships employed in the commerce of Great Britain, at the beginning of the American war, and at this time, [1784], is as follows: the number of ships, or the tonnage, differs very little. At the former period, there were about one million three hundred thousand tons; at the latter, nearly the same. The ships were built in the following countries:

Northern parts of	Ships.
Great Britain,	2419
Southern,	1311
Ireland,	109
British colonies still remaining,	163
American states,	2312

6434  
1260

Foreign countries,

being 7694

ships employed in the commerce of Great Britain, at the commencement of the war. Soon after the peace, the numbers were as follow:

Built in the northern	Ships.
parts of Great Britain,	2226
Southern,	1088
Ireland,	144
British colonies still remaining,	104
American,	1126

4638  
2892

Foreign countries,

7530

NOTE.

\* Considerations, &c. by Richard Champion, esq. a British Subject.

"But as a proportion ought to be allowed of the foreign ships, for prizes, which will replace such of our vessels, as were taken by the enemy, the accounts will nearly be,

5154  
2426

7580

"Or, considering the American ships as foreign—  
British, and its dependencies, 4028  
Foreign, 3502

7530

"America was always able to supply us with ships thirty per cent, cheaper than they could be built in Great Britain, even with the disadvantage of having the cordage, sails, and stores, exported from hence."

"One of the most material branches of the American export trade, is ships built for sale, at prices greatly inferior to those in the cheapest parts of this kingdom. The carpenter's prices for building, in sterling money, by the ton, were as follow: in New England, three pounds; in the middle states, about four pounds; in South Carolina, of live oak, five guineas; the whole cost of the ships, equipped for sea, seven to ten guineas. They were chiefly from New England, which supplied about three-fifths of the whole number of the American ships employed in Great Britain, and were generally sent to sea at the expense of about

NOTE,

"In New England, the ship-builders will now contract for building ships, at three pounds sterling per ton, including the joiner's work. In the river Thames, the price is nine pounds per ton, for the carpenter's work only."



fix to seven guineas per ton. The most beautiful are those built in Philadelphia, where this art has attained to the greatest perfection—equal, perhaps superior, to any other part of the world. Capital ships have also been built at New York, and in the Chesapeake; and in South Carolina, of live oak, which is of much longer duration than any other timber whatever. Those, who have asserted, that the shipping of our out-ports are equally lasting with the American ships, built of live-oak, have been very much misinformed; the latter being found, by experience, to be much more durable than our best oak."



*Observations on the probable effects of the late arret of the French court, respecting the intercourse with America. From the Gazette d'Agriculture, a periodical work, published in France.*

THE arret of the 29th of December last\*, while it gives the world a new and convincing proof of the dispositions of government, to strengthen our connexions with the united States of America, and to facilitate a commercial intercourse between the two countries, is evidently calculated to open a new and extensive market to the produce of our allies.

The whole amount of the population of Great Britain, Spain, and Portugal, with whom the united States have hitherto had the greatest intercourse, can hardly be compared to that of France only: so that this kingdom, alone, might double the

resources and industry of those States, if its commerce was well understood by their citizens.

Experience has evinced, that in common years France hardly produces wheat enough for the consumption of fifteen millions of inhabitants: so that ten millions at least, must depend upon the importation of that article from foreign countries; an importation the more indispensable, as bread is considered by every Frenchman as the most essential food. Vast quantities of wheat are imported annually from Poland, by the way of Dantzic, and particularly by the industrious Dutchmen. The southern provinces are provided from Sicily and Africa, through Marseilles, which city serves as an universal entrepot for the Mediterranean.

But as every country strives to regain by the labour of men, what the soil seems to refuse; so the provinces, which are in want of provisions, pay a particular attention to manufacture the flour themselves, though they import the wheat. Therefore, an American merchant, who wishes to avail himself of the arret of the 29th of December, would probably find an easier market in France, by importing grain instead of flour. It might be objected, that the great bulk of the cargoes would lower the profits; but even for this, the arret offers a remedy. Let us suppose that the same capital, instead of employing two cargoes of flour, would employ three vessels loaded with grain. American ships being wanted in France, and entirely duty free, one or two of them might be sold to great advantage; and the third return to America, with a cargo of dry goods, wine, oil, sugar, coffee, &c. The cities of Bourdeaux and Nantz might in this manner, become the principal entrepots of the produce of the united States, which,

NOTE.

\* For this arret, see American Museum, vol. III. p. 369. Vol. III. No. V.

labour at home. These restrictions may consist in duties on the imported \* commodity, bounties on the domestic manufacture, and, in some cases, both co-operating, with relation to the same article. Sir James Stewart has so well expressed our sentiments on this head, that we will convey them in his words. Treating of the means of instituting manufactures in a state, he says:—"The ruling principle which ought to direct a statesman, is to encourage the manufacturing of every branch of natural productions, by extending the home-consumption of them; by excluding all competition of strangers; by permitting the rise of profits, so far as to promote dexterity and emulation in invention and improvement; by relieving the industrious of their work, so often as demand for it falls short. And, until it can be exported to advantage, it may be exported with loss, at the expense of the public. To spare no expense in procuring the ablest masters in every branch of industry, nor any cost in making the first establishments; providing machines, and every other thing necessary or useful to make the undertaking succeed."

The carrying trade of the united states is also an object of great national importance. The country abounds

with naval stores; and ship-building is, or may be, one of our most beneficial employments.

This species of manufacture is of such a magnitude as to demand the attention of government in a particular manner. The same principles on which those measures are founded, which have been mentioned as necessary to promote domestic manufactures, generally, may be applied to the encouragement of this. Sir Josiah Child (in his discourse on trade) declares himself of opinion, that, in relation to trade, shipping, profit, and power, the English navigation-act is one of the best and most politic laws that ever was made in England; and without which, that country would not have had one half the number of shipping, or trade, nor have employed half the number of seamen, which it did at the time he wrote. Our policy undoubtedly dictates the propriety of imposing extraordinary duties on dutiable commodities imported from foreign countries into these states, in vessels built abroad or owned by foreigners; especially on articles of mere luxury; although some considerations may render particular exemptions and discriminations indispensable and proper. In † some instances, certain

## NOTE.

\* Dr. Price, speaking of the foreign trade of the American states, has this sentiment. "Indeed, I tremble when I think of that rage for trade which is likely to prevail among them. It may do them infinite mischief. All nations are spreading snares for them, and courting them to a dangerous intercourse. Their best interest requires them to guard themselves by all proper means; and, particularly, by laying heavy duties on importations." Observations on the American revolution.

## NOTES.

§ The act of navigation was passed in the 12th Car. II. A. D. 1660. Sir Josiah Child wrote about eighteen years afterwards.

† We will not attempt to specify those cases to which the first part of this proposition may be applicable: a combination of circumstances must designate these. But our infant East-India trade seems to come under the latter head. It is true, that the importations from the East consist principally in those things, which are usually denominated articles of lux-

kinds of merchandise ought, perhaps, to be exonerated from all duties, whether imported in American or foreign bottoms : but in other cases, such exemption might properly be restricted to goods imported in American vessels only.

But a very obvious and important reflexion arises here : and that is, that every effort, which can be made by individual states, for placing our foreign trade on an advantageous footing for this country, is liable to be frustrated, by other states counteracting them, or not coinciding in similar measures. The want of that uniformity, which is necessary to give efficiency and permanency to the commercial system of a nation, will render, in a great degree, ineffectual, all partial regulations for the advancement of our trade. A power must necessarily be lodged somewhere, for adjusting the commercial, as well as the political interests of the several states in the union, to one general scale ; and, according to the principles on which our federal constitution is framed, this power ought to be vested in the supreme head of the union, in order

NOTE.

But, as many of these have, by long habit, acquired among us the character of necessities, and are therefore constantly imported from Europe, at second hand—policy dictates the expediency of giving every possible encouragement to the American merchant, in carrying on a trade directly to the East-Indies. Thus will the profits on that trade, now enjoyed by strangers, centre with our own citizens ; while this new channel of commerce will employ an additional number of American shipping and seamen, and furnish a vent for an article, the natural production of this country, much esteemed in the East,

to establish the commerce of the united states on the solid basis of national system.

In the mean time, the unsettled state of our foreign trade lays us under a double obligation assiduously to promote our † inland commerce and home consumption. The united states occupy a vast extent of fertile country, lying in various climates, yielding the necessities of life in the utmost abundance, and furnishing a great diversity of commodities, and raw materials for manufacturing.

The commercial intercourse, carried on between the several states, by sea, should be restricted to American vessels ; and the communication from one part of the country to another, inland, ought to be rendered as easy and convenient as possible, by improving the roads, opening canals, and removing all obstructions to the navigation of the rivers, where practicable—in order to facilitate and

NOTE.

† By raising large flocks of sheep, sufficient quantities of wool may be supplied for the manufacturing of coarse woollen cloths, stockings, common hats, &c.—Hemp furnishes us with the valuable article of cordage ; and flax-seed, which is a considerable export from this country, yields an oil that is applied to various useful purposes : a large supply of coarse and middling linen cloths may also be drawn from hemp and flax, such as sail-duck, facking, oznabrigs, sheeting, and the like. Virginia and North-Carolina grow cotton of a very good quality, which may be manufactured into various kinds of clothing, &c. Thread and cotton stockings, of an excellent fabric, have long been made among us. The fine hats of this country are much superior to any imported. All manufactures of leather may be carried on to

promote the interior commerce of the united states.

The influence of example, manners, and fashion, may also greatly contribute to our success, in the pursuit of these great objects of national prosperity. Here the real patriot is enabled to testify his love to his country; and this he may evidence in a variety of ways—according to his talents, his opportunity, or his station.

NOTE.

the greatest advantage. Iron (besides excellent callings and the manufacture of steel) may likewise be wrought into all kinds of heavy work, and into nails, and sundry other articles, much to the benefit of the country. Paper is already made here, of an excellent quality, and in large quantities. Glass-houses have heretofore been erected in divers parts of the continent, and good glass has been made at them. Gunpowder, a very important article, has been brought to great perfection here. Pot-ashes are likewise a very suitable manufacture for this country. Besides, several articles of manufacture are produced from wheat, barley, rye, hops, tobacco, &c. The culture of silk might also prove a mine of wealth to the middle and southern states. The cultivation of the vine, madder, rhubarb, and sundry kinds of fruits, would likewise be productive of real emolument to this country.

These, and a multitude of other materials, that are and might be supplied by the united states, would, with proper encouragement, employ great numbers of our citizens in trades and manufactures, from which they would derive profit, and the public a national benefit.

*Premiums offered by the society for political inquiries.*

THE society for political inquiries, held at Philadelphia, having determined that premiums shall be awarded to the authors, whether members or not, of the best essays upon such subjects as the society shall propose for investigation, have agreed that the two following subjects be offered for the said premiums, to be adjudged at any time subsequent to the first of January, 1789.

I. What is the best system of taxation, for constituting a revenue in a commercial, agricultural, and manufacturing country?

II. How far may the interposition of government be advantageously directed to the regulation of agriculture, manufactures, and commerce?

The conditions prescribed by the society, are as follow:

1. The essays shall be written in either the English, French, or German languages.

2. The candidate shall send his essay, on or before the first of January, 1789, addressed to the president, free of postages or other charges; and shall distinguish his performance by some motto, device, or signature, at his pleasure. He shall also send a sealed letter, containing the same motto, device, or signature, and subscribed with the real name and place of residence of the author.

3. All communications, from candidates for the premiums, shall be referred to a committee of the society, who shall select those they may deem the most proper to be laid before the society at large.

4. The society, at a time to be appointed for that purpose, are to adjudge the premiums, after having previously determined, by vote, whether any of the communications,

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then under consideration, are deserving of the proposed premiums.

5. No member of the society, who is a candidate for the premiums then depending, or who hath not previously considered the comparative merits of the several essays, shall give his vote in awarding the said premiums.

6. The letters, containing the names of authors, whose performances shall not be successful, shall be burned before the society, without breaking the seals.

7. The premiums shall each consist of an oval plate of solid standard gold, of the value of ten guineas: on one side thereof shall be neatly engraved a suitable motto and device; and on the reverse, these words—"The premium awarded by the society for political inquiries, established at Philadelphia, 9th February, 1787, to  
"for his essay on  
"A. D. 1789."



*Papers respecting the leases taken by a private company, in the state of New York, from the Oneida Indians.*

No. I.

*To the honourable the legislature of the state of New York, in senate and assembly convened. The petition of John Livingston, of the manor of Livingston, and Caleb Benton, of Noblestown, for themselves and their associates, to the number of several hundred citizens:*

Humbly sheweth,

THAT your petitioners were some time since informed, that the Indians, on the western frontier of this state, were inclined to dispose of their lands; and that they were actually in treaty for this purpose

with divers persons holding no allegiance or subjection to the government of the state of New York.

That your petitioners, conceiving that this favourable disposition of the Indians might be improved, not only to their immediate advantage, but to the public benefit, associated for the purpose of making an overture to the said Indians, and appointed agents for conducting the business, That your petitioners' agents arriving at a critical period, had the great good fortune to give a turn to the intended negotiation with the said Indians, for their lands, highly favourable to the government of this state; and which cannot fail of securing the jurisdiction, and all the advantages to arise from a populous settlement, without bloodshed or expense.

That in fact your petitioners found that although the said Indians were wholly averse to an actual sale of their lands, yet they were fully determined to grant the same by way of lease; whereupon your petitioners, on the thirtieth day of November last, obtained from the natives a lease for all their unappropriated lands, for which they have paid a large sum of money, and stand engaged to pay a perpetual annual rent.

That your petitioners are not conscious of having transgressed the law, in taking the said lease; on the other hand, they are fully persuaded, that they have been the instruments of procuring the most solid advantages to their country by the said negotiation, if it shall be happily improved. That your petitioners are informed that it has been confidently suggested that the said lease was obtained from the said Indians, in conjunction with, and under the influence of, British subjects from Canada. That your petitioners take this opportunity, pre-emptorily to deny the said



suggestion, as utterly false and groundless.

Your petitioners therefore humbly submit the premises to the wise consideration of the legislature, and as in duty bound shall ever pray.

#### No. II.

*To the hon. the legislature of the state of New York, in senate and assembly convened. The petition of John Livingston and Caleb Benton, in behalf of themselves and their associates, &c.*

Respectfully sheweth,

**T**HAT whereas the honourable the legislature have been pleased to appoint a committee to enquire into the subject of your petitioners' late petition relative to the leases by them obtained of the six nations of Indians, of their unappropriated lands within this state; and whereas the said committee have reported a state of facts respecting the said leases:

We, your petitioners, do therefore most humbly pray the honourable the legislature to take the said report into their wise consideration, and be pleased to appoint agents, in behalf of the state, to confer with your petitioners, on such terms and considerations as may be consistent with the justice, dignity, and policy of the state; and that the legislature will be pleased to recognize the said leases under such restrictions, as to them, in their wisdom, shall appear just and equitable.

And your petitioners as in duty bound, shall ever pray.

[N. B. The above petition was rejected.]

#### No. III.

*By his excellency George Clinton, esq. governor of the state of New York, general and commander in chief of all the militia, and admiral of the navy of the same.*

#### A PROCLAMATION.

(L. S.) **W**HEREAS the senate and assembly of this state, by their concurrent resolutions, bearing date the sixteenth and twentieth days of February last, after reciting "That whereas John Livingston, esq. of the manor of Livingston, hath produced to committees of the senate and assembly, two certain writings, and which writings have been reported to the senate and assembly, the one of them dated the 13th day of November last, purporting to be a lease from the chiefs or sachems of the six nations of Indians, to him the said John Livingston, and others his associates, for the term of nine hundred and ninety-nine years, on a yearly rent reserved of two thousand Spanish milled dollars, of all that tract of land in the said writing described, as beginning at a place commonly known by the name of Canada creek, about seven miles west of Fort Stanwix, now Fort Schuyler, thence north-easterly to the line of the province of Quebec; thence along the said line to the Pennsylvania line; thence east on the said line or Pennsylvania line, to the line of property, so called by this state of New York; thence along the said line of property to Canada creek aforesaid. The other of the said writings, dated the 8th day of January last, purporting to be a lease from the sachems, chiefs and warriors of the Oneida nation of Indians, to the said John Livingston and his said associates, for the said term of nine hundred and ninety-

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nine years, on a rent reserved for the first year of twelve hundred dollars, and increasing at the rate of one hundred dollars per annum, until it shall amount to fifteen hundred dollars, of all those lands in the said writing described, as the tract of land commonly called and known by the territory of the Oneida Indians, with an exception as to several tracts and parcels in the said writings particularly specified: and which said leases were obtained from the said Indians, by the said John Livingston and his associates, not under the authority, nor with the consent of the legislature of this state," did resolve, as the sense of the said senate and assembly, "that the said leases are purchases of lands, and therefore that by the constitution of this state, the said leases are not binding on the said Indians, and are not valid; and did thereby also further resolve, as the determination of the legislature, "that the force of the state shall, from time to time, as occasion may require, be exerted to prevent intrusions on, and for preserving to the people of this state, their rights to, the lands and territories comprehended within the boundaries specified in the said leases, against the said John Livingston and his said associates, and all other persons claiming or to claim any right, title, or benefit under the said leases or either of them."

Now, therefore, agreeably to the request of the senate and assembly, also expressed in their said concurrent resolutions, I have issued this my proclamation, hereby strictly charging and requiring the said John Livingston and his said associates, and all other persons, that they do not settle, improve, enter, or otherwise intrude on such of the said lands, as have not heretofore been granted in due form of law, as they

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shall answer for every intrusion at their peril.

Given under my hand and the privy seal, at Poughkeepsie, this first day of March, in the twelfth year of the independence of the said state, A. D. 1788.

GEO. CLINTON.

No. IV.

*Talk of the Oneida Indians, lately received by the legislature of New York.*

**B**ROTHERS, chiefs, and great men, who sit round the council fire of our brethren, the people of the state of New York, attend.

Brothers, we have come thus far on our way to see you, at your council fire: but the roads are already become very bad; and the prospect of their soon being worse, induces us to return, and to speak to you in writing.

Brothers, we are your allies: we are a free people: our chiefs have directed us to speak to you, as such therefore, open your ears, and hear our words.

Brothers, in your late wars with the people on the other side of the great water, and at a period when thick darkness overspread this country, your brothers, the Oneidas, stepped forth; and, uninvited, took up the hatchet in your defence. We fought by your side. Our blood flowed together; and the bones of our warriors mingled with yours. You appeared grateful for our attachment: and gave us repeated assurances, that, should the great Spirit give you success, we should be made to rejoice. The event of the war was favourable. We returned to our country, where ruin and desolation had overspread our fields and villa-

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GEO. CLINTON.

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ges. We rejoiced, however, that we could return in peace; and pleased ourselves with the hopes of the peaceable and quiet enjoyment of our country, for which we had fought and bled in the common cause, together with you. While we were thus flattering ourselves with the agreeable prospects, we received an invitation to meet some of your chiefs, who were sent to speak with us at Fort Herkimer. We were glad, and immediately set out to meet them, expecting, they were come to relieve our wants, and to make good the repeated assurances we had received, that, on our return to our country, we should be made to rejoice. Those chiefs, who then met us, will doubtless remember, how much we were disappointed, when they told us, they were only sent to buy our lands.

Brothers, it is needless for us to recapitulate the speeches that were made on that occasion. You cannot forget them: you have probably wrote them in a book. Your chiefs may well remember, how reluctantly we entered on a treaty for the sale of our lands. They may also remember the method we then took to evade it, which was, by making a proposal to them, to lease a certain part of our country. The contempt, with which they received our offer, is, doubtless, still fresh in their memory: it is in ours. In compliance, however, with their urgent solicitations, we at length consented to sell them a part of our lands, in consequence of the solemn and repeated assurances your chief sachem then made, that this should be the last application, that our brothers, the legislature of New York, would ever make to us for land.

Brothers, we are determined, then, never to sell any more. The experience of all the Indian nations to

the east and south of us, has fully convinced us, that if we follow their example, we shall soon share their fate. We wish that our children and grand-children may derive a comfortable living from the lands which the great Spirit has given us and our forefathers. We therefore determined to lease them. Our friends in different parts of the country, hearing of our determination, and being willing that we should still continue a nation, have offered to take our lands by lease, and give us a generous rent. We were loth to affront you again with the offer of our lands on such terms; and have therefore agreed to the proposals of our friends. Brothers, since we have been on the road, a lying bird has passed by us, and reached your council-fire, and told you that we have not leased our lands. We say, brothers, the suggestion is false: and we hope you will treat it as such.

Brothers, we are surprised to hear you are displeased, because others have accepted that, which your chiefs have told us was beneath your nation. But, brothers, we are more surprised still, to learn, you claim a right to controul us in the disposal of our lands. You acknowledge it to be our own, as much as the game we take in hunting. Why then do you say that we shall not dispose of it, as we think best? You may, brothers, with as much propriety, when one of our hunters comes to your market with a pack of beaver, point out the person to whom he shall sell, and to no other.

Brothers, we wish you to consider this matter well, and to do us justice. We have now leased our whole country, excepting what we reserved for our own use, to people, who, we doubt not, will pay us according to agreement: and if there be any thing that you can do, to encourage

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them in their settlement of it, we wish it may be done.

Brothers, this is all we have to say.

To the great men of the state of New York.

*Jacob Reed, Sec.*

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*Peter X Salekarenghis,*  
*mark.*

*his*

*Daniel X Seganeghserifer,*  
*mark.*

*his*

*Hendrick X Sakonwate,*  
*mark.*

*Witness,*

*Peter H. Ten Broeck.*

*George Stimson, jun.*

Personally appeared before me, the above-named subscribers, and acknowledged the foregoing instrument to be their voluntary act and deed.

Acknowledged before me, this twelfth day of March, 1788.

HENRY J. V. RENSELLAER,  
one of the judges of the inferior court of the county of Columbia.



Mr. Carey.

SIR,

THE history of our common swallows, has long been a problem in ornithology. Whilst people in general supposed them birds of passage, a few, who appear to be better informed, supported the contrary. The opinion of the many was founded on what they thought probable; that of the few, on facts.

Having been told by my nurse, that swallows wintered in the moon—and, after I grew older, that they were birds of passage, I was a sceptic to the doctrine of their descending to pass the winter in water. I

now begin as much to doubt the theory of those naturalists, who contend they are birds of passage, as I doubt the philosophy taught by my nurse.

In the year 1780, I was conversing with a zoographer, who lived about twenty miles from Boston, on the phenomenon of the sudden exit, but gradual and irregular return of swallows. I observed to him, that geese and other sea-fowl, which, in the spring of the year, visited the northern lakes, and in the fall returned, were observed both in their flight from, and return to, the sea; that blackbirds in the fall were seen in numerous flocks, directing their course to the south well; that as we never saw a collection of swallows appearing to be on their passage to another country, I thought it probable, that when they began their passage, they flew only in the night, or ascended beyond the reach of the human eye.

The gentleman replied, they were not birds of passage; that the cause of their sudden disappearance, but irregular return, was, they had a fixed day for immersing into the water, but none for emerging from it. On my doubting his hypothesis, he told me, that as a neighbour of his, not long before, was draining a pond, on a warm day, near the season of the year in which swallows first appear—his attention was attracted by observing the mud, which, in consequence of draining the pond, had for some time been exposed to the sun, move, and appear animated. He then ordered a quantity of this mud to be conveyed to a room in his house, which he caused to be gradually warmed by a slow fire. From this mud, there soon arose a number of swallows, hovering over himself and family, who had been spectators of their resurrection.

In the year 1782, I lived near the

mill-pond, which covers a marsh on the north-side of the town of Boston. About the middle of August, this pond was covered with swallows; some flying just above the surface of the water, others lighting on the rushes and water-lillies, which raised their heads above it. On enquiring of one of my neighbours, whose house stood adjoining the pond, in which he had lived for a number of years, the cause of such an unusual collection of swallows to that water, he said it was no more than what happened every year at that season. For some days before they take their annual flight, continued he, they rendezvous at this pond. He then mentioned the day of the month, (August) which I have forgotten, on which they would disappear; which took place accordingly.

To gain the particular attention of those who may find it convenient to investigate an interesting hypothesis, was the cause of mentioning the foregoing circumstances so minutely.

Last August, from the tenth till past the twentieth, I was at Bethlehem, in Pennsylvania. About the fourteenth, as I was one afternoon walking in the gardens, between the Lehi and Manoras creek, I observed the air over the creek to be almost darkened with swallows. This excited my curiosity, and attracted my attention. On the north side of the creek, nearly opposite the sisters' garden, grew a number of willows, between which and the garden was a small marsh. Upon the boughs of these willows, about sun-set, the swallows alighted in such numbers, as to appear like bees, to hang to, or sit upon one another. I enquired the cause of their leaving their secure nests, formed in buildings in which they had passed the summer—and acting, as I thought, contrary to their native instinct, by roosting in the open air—and was informed

by the rev. mr. Van Vleck of that town, that during the number of years he had resided there, for a few days before the swallows disappeared, they never failed collecting in vast numbers, as he supposed, to pass the night in the branches of those willows which hung over the water. For a few evenings, I constantly walked to the creek, to observe their motions, during which time their numbers appeared to increase; till of a sudden they were not to be seen—but on one day had all disappeared. Their exit was not, I believe, three days from the twentieth of August.

As there could not be a more convenient or agreeable situation, for watching the exit of those birds, than the one at Bethlehem, I wish what has been said on the subject, may induce some of the inhabitants, or of the strangers who generally visit that town in the month of August, fully to investigate this phenomenon. If they immerse into the water, to the belief of which I am almost a convert, I imagine their descent is between the fifteenth and twentieth of the month. Were a person to form a booth under the willows, sufficient to secrete him from the swallows, by watching them for a few evenings, or perhaps nights, I have no doubt but he would be able to make a full discovery.

That they are properly amphibious, I believe no one will contend. If they do lie, during the winter, in a torpid state, under water, why they should, whilst in the full enjoyment of life and vigour, and in the warmest month in the year, plunge into an element, in which they cannot exist, but in a state of insensibility, will afford a subject of speculation for the curious and truly philosophic.

JOSIAH BLAKELEY.

Baltimore, Jan. 7, 1788.

*Population of the united States.*

THE numbers of inhabitants in the different States, according to the most accurate accounts which could be obtained by the late federal convention, were as follow :

In New Hampshire,	102,000
In Massachusetts,	360,000
In Rhode Island,	58,000
In Connecticut,	202,000
In New York,	238,000
In New Jersey,	138,000
In Pennsylvania,	360,000
In Delaware,	37,000
In Maryland,	218,000
(including three-fifths of 80,000 negroes)	
In Virginia,	420,000
(including three-fifths of 280,000 negroes)	
In North Carolina,	200,000
(including three-fifths of 60,000 negroes)	
In South Carolina,	150,000
(including three-fifths of 80,000 negroes)	
In Georgia,	90,000
(including three-fifths of 20,000 negroes)	

*Comparative view of the extent of the united States, &c.*

FEW people are able to form an adequate idea of the extent of the districts ceded to the united States of America, at the conclusion of the late war : it will not be amiss, therefore, to compare them with countries, with whose situation and extent we are more acquainted. The following measurements are made with accuracy :—

The river Ohio is navigable from Fort Pitt to its mouth, which is 1164 miles. The lands on the banks of the Ohio, and between the Alleghany mountains, the lakes On-

tario and Erie, and the Illinois and Mississippi rivers, contain 233,200 square miles, nearly equal to Great-Britain and France, whose contents are 233,237 square miles.

The lands between the Illinois, lakes Huron and Superior, and the Mississippi, at the falls of St. Anthony, contain 120,090 square miles, nearly equal to Great-Britain and Ireland, which are 131,800 square miles.

The lands from St. Anthony's falls to the south line, from the lake of the woods to the head of the Mississippi, contain 30,000 square miles, which is more than Holland, Flanders and Ireland, which are 37,908 square miles.

The thirteen States of America contain 207,050 square miles, nearly as large as all Germany, Flanders, Holland and Switzerland, which contain 207,483 square miles.

*On the danger of introducing epidemical disorders, through want of proper precautions.*

IT will, I believe, be readily acknowledged, that it is at all times better to prevent a disease than to be necessitated to cure it, after it exists. This maxim is true in ordinary distempers and accidents ; and it is equally true, and of much greater importance, when it aims at preventing the introduction of a dangerous, spreading, and infectious disease into a healthy, uninfected city.

I have been led into these reflections from a positive assurance, that an epidemical fever now rages in the town of Basseterre, in the island of St. Christopher, highly contagious, and alarmingly mortal. I have been informed too, that cotton (than which there is not a substance in nature more capable of imbibing, retaining,

and communicating infection) is often imported from that island into this city. It must therefore be of the most dangerous consequence to have a quantity of this article, after having been exposed to an air thus infected, and then packed close into large sacks, which exalts the poison it has absorbed, transported to this or any other healthy city, and on its arrival, unpacked, unfolded, and distributed far and wide, in small parcels among the inhabitants.

I have known frequent instances of the baneful effects of foreign distempers, thus imported into both the cities of Philadelphia and New York; and have heard, from the ancient inhabitants of this city, that so long ago as the year 1702, a malignant fever, little inferior to a plague, was imported into this place, and from its extreme mortality distinguished by the name of the great sickness. This formidable disease, if tradition says true, was brought here from St. Thomas's in a single bale of cotton.

That fatal distemper called the yellow fever, or black vomit, which about forty years ago, produced its ravages in several parts of the continent, particularly in the cities of Philadelphia and New York, was first imported from the Spanish main into Barbadoes, and, from that island, in the course of commerce, communicated to this continent.

The cities of New York and Philadelphia have several times experienced the fatal effects of those dangerous infections; some of them resembling the jail fever, from dirty ships, crowded with as dirty passengers, from Rotterdam! which, from this cause, took the name of the Palentine fever. The severe effects of which I felt in my own family, when two young gentlemen who then lived with me (one of whom is now justly esteemed among our most respectable inhabitants) were at the same time

seized with this putrid fever, attended with such extreme danger, that their lives were for many days despaired of. At this time, there was no legal provision against these dangers. Vessels, with this load of impurity, came immediately up to the wharves: and even the sick were landed in the town: there was no proper place at a distance to receive them: and the common jail, as well as debtors', were then in the heart of the city. Convinced of the impropriety and danger of these things, I represented them in a memorial to the then governor and council, who paid attention to this representation, and immediately proceeded to remedy the incongruity it pointed out. At this time the new jail was built. The corporation purchased Bedlow's island, with a house upon it, which, though too small, was sufficient to shelter and receive the unhappy sufferers from the pestilential air of a foul and sickly ship, into one of the most vivifying and salubrious airs in the world; and an opportunity given to cleanse and purify these vessels at a safe distance from the town.

The legislature at the same time passed a law very competent to these salutary purposes. This law is certainly very necessary, as well as vigilance, judgment, and fidelity, in those who are appointed to execute its injunctions.

Among the evils attendant upon these unwelcome visitors, there was one, of a pernicious tendency, distinguished only by physicians of sagacity and skill. The natural endemical diseases of this wholesome northern climate, were, before their appearance, simple and regular. They returned as the reasons returned, to which they respectively belonged. Their history and symptoms were distinctly marked, and the method of cure generally well ascertained.

The influence of these imported

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epidemics, so far changed the nature of these others, as to render them more complicated, dangerous, and obscure, resembling, in many particulars, those symptoms, which distinguished the original prevailing epidemic—and this effect upon these intercurrent diseases of the country, was observable two, and sometimes three years after the period of these new distempers, which apparently went through their course in about five months.

From the consideration of these facts in our own country, and the abundant confirmation of them in others—from motives of professional duty, and the sense I have of their importance—and from very long experience and attentive observation of these things—I have been induced humbly to offer my thoughts on this occasion. I should feel myself hurt at the idea of exciting any unnecessary tears. The facts above related are notorious; they have all of them, except the first, fallen under my immediate attention and notice.

The same causes which produced them, should they at any time occur, will too probably produce the same effects. My intention, therefore, is only to awaken such just apprehensions as may guard, as far as human prudence can guard, my fellow citizens, from an event of such fatal consequence.

It may not be unnecessary to observe, that a substance like cotton, if really charged with contagious matter, ought never to be attempted to be destroyed by fire, which, before it consumes the cotton, will diffuse the offensive particles in the air, without preventing their effects. Destroying it entirely by sinking it in salt water, or at least letting it remain a considerable time immersed in it, current, I think would be the most safe and effectual method of preventing the danger.

The extreme subtilty and activity of this kind of poisons, are evident from a common experiment. The skin pricked with a fine cambrick needle, armed with the smallest particle of small-pox matter, is capable of effecting so great a change in the human frame, as to produce that loathsome and dangerous disease. It is true, that human art, under the benevolent smiles of providence, has greatly lessened its force and danger, and in most instances, rendered it mild and safe in its operation. Human sagacity, too, under the same gracious protection, is the only probable means of preventing the importation of dangerous and infectious distempers, to which commercial cities, from their constant correspondence with foreign countries, may sometimes be exposed.

JOHN BARD.

*New York, April, 1788.*



*Advantages of the use of oxen, in draft, &c.*

MANY people complain of the shameful diminution in our exports of corn and flour, not reflecting that the immense number of useless horses, which it is now the fashion for almost every farmer and citizen to support, does not a little contribute to this artificial scarcity. Formerly it was the custom, in several of these states, to plough and harrow the lands, as well as convey their produce to market, by means of oxen. That frugal mode of land carriage is at this time almost wholly discontinued; and such is the force of custom and prejudice, that I know many persons who would sooner carry their articles to market on their own shoulders, than be seen driving an ox team. When I was a boy, my father conveyed his whole family to

church on Sundays in a waggon drawn by two large oxen. I, his successor, would willingly pursue the same mode, and have more than once signified my intentions to my wife, who, however, absolutely and fullenly refuses to attend me, if thus conveyed; and indeed I find my whole family are in combination with her against me. What one horse devours annually, would plentifully support at least four labouring oxen; judge then what must be the loss sustained to the community by such a superabundance of these animals. The whole country is mounted on horseback, as if bound out (Quixote-like) upon schemes of knight errantry, and to engage in tilts, tournaments and perilous adventures. For a person of but middling consequence to be seen travelling a journey on foot, is enough to disgrace him forever, in the opinion of the genteel part of our county: and a young fellow in my neighbourhood, who some time ago paid his addressee to a village lady, at a few miles distance from his father's house, is at present under sentence of discharge from the girl's relations, for no other reason in the world but making use of his legs to carry him to visit the object of his affections.

#### A COUNTRYMAN.



*To the honourable the senate, and house of representatives, of the commonwealth of Massachusetts, in general court assembled; the petition of Daniel Shays and Eli Parsons.*

*May it please your honours,*

**Y**OUR petitioners, penetrated by the melancholy sense of their late errors, and anxious once more to return to the bosom of their country, and enjoy again the blessings of peace, under the mild operation of the

laws—humbly beg leave to supplicate the mercy of the legislature in their favour.

If the most unfeigned penitence, confirmed by an experience of the misfortunes to which they have been personally exposed, in the course of their unhappy opposition to government, may be allowed to operate, they certainly have this to plead in expiation of their past conduct.

Your petitioners do not mean to multiply assurances: but they beg leave boldly to refer to their future behaviour, as the best evidence of their sincerity: and they firmly trust that no person will hereafter exceed them, in the practice of such virtues, as are characteristic of the best citizens.

They have indeed been deluded; but they beg the hon. court to believe, that their hearts are still warmed with every sentiment of respect, reverence and attachment to the rights and liberties of the people, and to the laws and constitution of the government.

Your petitioners, may it please your honours, do not presume to offer any thing in their justification, fully sensible, as they now are (though they may wish to extenuate) that no arguments can be adduced to excuse their conduct; they see, they feel, and they freely acknowledge, they have long felt the effects of their own temerity. They have unfortunately adopted a mode of procedure, which they are fully sensible, cannot be justified: they will never cease to remember with regret, their not having trusted for relief to the wisdom and integrity of the ruling power.

But when they thus freely acknowledge their errors, they pray the hon. legislature to believe, that these have proceeded from a misapprehension of facts—from a failure of judgment, and from a too precipitate resentment; but by no means from a

abandoned principle. They have been obliged to seek an asylum, far from their friends and connexions, in a state of exile from their country. Yet whatever may have been suggested to the contrary, they have never combined with the concealed enemies of America, if such there be, to subvert its liberty, and to destroy its independence. No! may it please your honours, however criminal they may have been in other respects, they cannot be justly reproached with this enormity.

If it be thought necessary, that an example of their sufferings should be continued, to prevent similar disorders to those they have so rashly occasioned in this commonwealth; your petitioners would hope, that this is end already attained; as they conceive, in the estimate of their distresses, there is scarcely an inconvenience or misfortune to which they have not already been exposed: But if these circumstances do not plead in their favour, they pray the hon. court would remember, that they have friends, wives, and children, who are innocent, but who, with your petitioners, will be ever bound by new ties of gratitude and affection, to the government, by their pardon.

Your petitioners, may it please your honours, in thus asking to be restored to the rights and liberties they have lost, and to the peace and protection of the commonwealth, are not influenced by the fear of further punishment; but in their reinstatement in the possession of such invaluable blessings, they wish to have an opportunity of proving to the world, the sincerity of their reformation, and of adding another happy instance to those which have been already so conspicuous from the clemency of this hon. court.

DANIEL SHAYS,  
ELI PARSONS.

Vol. III. No. V.

*His excellency gov. Sullivan's message to the general court of New Hampshire, at their session in December, 1787.*

SOME important dispatches, which came to hand since the close of the last session, having rendered it necessary to call the general court together at an earlier day than that to which it stood adjourned—I have, by advice and order of council, directed your attendance at the place where, by your appointment, you were to hold the winter session; and, although it is much earlier than you proposed to meet, I can see no reason why all the business necessary to be transacted, may not as well be completed now, as at any other period.

Among the public papers which I have the honour to lay before you, the report of the national convention, respecting a plan of government for the people of the united states, with the resolve of congress accompanying the same, will undoubtedly claim your attention.

The important question, whether the proposed form shall be received or rejected, can no farther come under your consideration, at this time, than as it stands connected with, or may be affected by, your determination respecting the propriety of appointing delegates to decide upon it.

The proposed plan undoubtedly has its defects. The wisdom of man has never yet been able to furnish the world with a perfect system of government: perhaps that which claims the attention of America is liable to as few exceptions as any which has hitherto been produced.

I have carefully considered the plan, and endeavoured to weigh the objections which have been raised against it; and have not, as yet, been able to discover any of more weight than might be urged against the most perfect system which has ever been

offered to mankind ; or, perhaps, might be alleged against any which human wisdom may ever contrive.

The requisition of congress, of the eleventh of October last, for supplies to enable that body to comply with public contracts, will merit your attention. The new proportion, and the act for settling the estates of intestates, which were postponed the last session, are not unworthy of your notice at this time. The necessary grants for support of our own government, will claim a share in your deliberations.

Should you think proper to consider and determine upon the matters before mentioned, I know of nothing of sufficient importance to demand another meeting of the general court before the next election. Should congress find that the proposed constitution is agreed to by a sufficient number of states, and call upon this state to furnish members to attend the first meeting under it, your attendance may again become necessary ; otherwise, the expense and trouble of another session may be avoided.

Permit me, gentlemen, to recommend to you, unanimity and dispatch ; and to assure you, that I shall most cheerfully join you in every measure for promoting the public interest.

Given at the council chamber in Portsmouth, the 5th day of December, 1787, and in the 12th year of American independence.

JOHN SULLIVAN.

*Speech of his excellency George Clinton, Esq. governor, &c. of the state of New York, to both houses of the legislature, convened at Poughkeepsie, Jan. 11, 1788.*

*Gentlemen of the senate and assembly,*

**I**T being essential to the welfare of our confederacy, that the repre-

sentation in the national council, should be maintained without intermission—and as the term, for which the delegates from this state were elected, is expired—you will perceive the necessity of proceeding to an immediate new appointment.

Gentlemen, the requisition for the federal services of the current year, also claims your early attention. I have full confidence that the same spirit, which has invariably influenced the legislature of this state, will induce you to a cheerful and effectual compliance with every measure founded on the national compact, and necessary to the honour and prosperity of the union.

It will appear from the act of congress, and other papers on the subject, that the supplies required for the common treasury, are principally to arise from the arrears due on former requisitions. Advantages will, therefore, result from the punctuality of past payments : as a greater proportion of the resources of the state may now be applied to the relief of our own citizens. To assist you in making the necessary arrangements, I shall cause to be laid before you estimates of the public debts with the receipts and expenditures since the conclusion of the war, abstracted from the treasurer's annually-audited accounts, by which you will be particularly informed of the present state of our treasury.

It gives me great pleasure to inform you, that the jurisdiction-line between the commonwealth of Massachusetts and this state, which has been so long a subject of controversy, and attended with much inconvenience and distress to the borderers, is at length finally adjusted ; and that the boundary line between this state and the commonwealth of Pennsylvania, is also completed. The reports of the commissioners, employed in these respective transactions, accom-



panied with maps of the lines will be delivered to you, in order that the proper directions may be given for their authentication and deposit, and for the final liquidation and settlement of the expenses which have attended these services.

I shall leave with you the several official communications, which have been made to me in the recess: with these, you will receive the proceedings of the general convention lately held in the city of Philadelphia, and an act of the united states in congress, for their transmission to the legislatures of the different states. From the nature of my office, you will easily perceive, it would be improper for me to have any other agency in this business, than that of laying the papers respecting it before you for your information.

Gentlemen, it must afford the highest satisfaction to observe, that under the blessings of heaven, tranquillity and good order continue to prevail throughout the state; and that by the industry of the citizens, the country is in a great measure recovered from the wastes and injuries of war. The profuse use, however, of luxuries brought from abroad, drains us of our wealth, and is the source from which most of our present difficulties proceed. I would, therefore, submit to the wisdom of the legislature, the propriety of limiting the consumption of foreign articles, by encouraging the manufacture of our own productions, as far as may be consistent with our situation, and a due regard to beneficial commerce.

GEORGE CLINTON.

*Answer of the senate.*

Sir,

FULLY impressed with the necessity of maintaining a constant representation in the national coun-

cil, the legislature proceeded, at an early day, to the appointment of a delegation for the present year.

Sensible of the obligation of a strict adherence to the national compact in all its parts, the requisition for the federal services of the current year, will claim our earliest attention. It affords us real satisfaction to learn, that from the arrangements of the national finances, this state will experience those benefits, which it had reason to expect, from its exertions on former occasions. This satisfaction is increased by the reflection that this will afford the legislature an opportunity of applying a considerable portion of the resources of the state, to the diminution of its own debt.

We contemplate with real pleasure the advantages which must necessarily result from a final adjustment of the jurisdiction-lines between the state and the commonwealths of Massachusetts and Pennsylvania. Measures have already been adopted for the authentication and deposit of the reports and proceedings of the commissioners who have been engaged in that important transaction: and provision will be made for liquidating and discharging the expenses which have accrued in those services.

The several official communications, which your excellency has been pleased to lay before us, will claim the attention due to their importance.

The tranquillity and good order, which pervade this state, are a blessing for which our most grateful acknowledgments are due to heaven. To this blessing, we may, in a great measure, attribute that spirit of industry, so prevalent in our fellow citizens; and which, we assure your excellency, our best endeavours will be exerted to continue and extend, by discountenancing every superfluous consumption of foreign com-

modities, so detrimental to the true interest of the state.

By order of the senate,

Pierre Van Cortland, president,  
Senate chamber, Jan. 26th, 1788.



*A message from the president and the supreme executive council of the commonwealth of Pennsylvania, to the general assembly.—Feb. 21, 1788.*

Gentlemen,

**W**E sincerely congratulate your honourable house on the ratification of the federal constitution by the convention of this state, since your last recess; and we flatter ourselves that its adoption will be attended with important good consequences to all the states in the union.

In compliance with your resolution of the 19th of November last, we have obtained, and now lay before the general assembly, descriptions of the lands lying between the northern boundary of this state and Lake Eri, with an estimate of the sums which will probably be necessary for the purchases of the same, as will appear by the papers marked no. 1 and 2, to which we beg leave to refer. We have likewise wrote to our delegates in congress relative to the estimate—their answer, as soon as it comes to hand, will be transmitted to your house.

A revenue law of this state, passed the 25th day of September, 1783, requiring merchants who re-ship goods from Philadelphia to produce within one year certificates of the goods being actually landed at the port of destination, appears to bear hard on the trade of this port:—we therefore recommend a revival of the aforesaid revenue act, when the merchants will have an opportunity of laying the particular inconveniences before your house.

The officers of the land-office do not consider themselves authorized by the present laws to grant re-locating warrants, in cases where warrants on which the purchase-money has been paid, are deprived of land by prior grants:—we are of opinion, that this power ought to be given; as the time may come, when vacant lands will not remain for them, and in that case the owners may call on the state for compensation.

The granting of land in the late purchase, has nearly ceased, and we are apprehensive that this fund will continue unproductive, until the terms of the new purchase are lowered—a measure which we therefore recommend.

Great mistakes have been committed by the orphans' courts of the different counties of this state, respecting pensions; particularly in providing for the support of the widows and orphans of militia-men who fell in the late war: this power, in the opinion of council, ought to be lodged in more proper hands, and its decisions thereby rendered more uniform.

The continual depreciation of our paper money merits the most serious attention of your honourable house. This circumstance, alone, diffuses languor and embarrassment through the whole executive department of government—contracts cannot be completed for the making of roads, or any other public business, without either risking the honour of government, or acting on an implied depreciation of money: situations equally irksome and ineligible. We cannot help suggesting the propriety of more speedily destroying as much of it as is in the power of the treasury.

The time limited by law, for completing titles for lands, held under office-rights, obtained before the 10th day of December, 1776, expires on the 10th day of April next—we are

of opinion that the extension of that period is necessary.

The benefits expected from the penal law, having not equalled the benevolent wishes of its friends and framers, we recommend such alterations to be made in it, as shall be calculated to render punishment a means of reformation, and the labour of criminals of profit to the state. Late experiments in Europe have demonstrated that those advantages are only to be obtained by temperance and solitude of labour.

The act entitled, "an act appointing wardens for the port of Philadelphia, &c." passed the 26th day of February, 1773, having by experience been found useful, and being on the point of expiring, we recommend an immediate renewal of the same for a further term, with such improvements as may occur to you.

We again recommend to the notice of your honourable house the resolution of congress, passed March 21, 1787, and beg leave to suggest the propriety of passing a declaratory act, to answer the end intended by the said resolution.

The latest accounts from the country of Luzerne, communicated to us by col. Pickering, represent the settlement as being in perfect quietness at present, and that the laws of this state have their free operation.

We have now the pleasure of laying before you a map of the northern boundary of this state, as run by the commissioners appointed for that purpose, who have completed that useful work. We also herewith communicate a letter from his excellency Samuel Huntington, esq. governor of the state of Connecticut, in consequence of which we have mitigated the severity of John Franklin's confinement as much as circumstances would warrant.

B. FRANKLIN.

*Speech of his excellency John Hancock, to the legislature of Massachusetts, Feb. 27, 1788.*

*Gentlemen of the senate, and gentlemen of the house of representatives,*

THE letters which I have received in the recess, the secretary will lay before you: they are not of such importance, as to claim any particular notice from me at this time.

The adjournment of the general court, for the space of one week, became necessary, in order to give the members, who were also members of the late convention, an opportunity of returning home before the meeting of the legislature. I could have wished that the proclamation of adjournment had been of an earlier date; but the session of the convention, by the importance of the business before that body, was protracted beyond what was expected. I flatter myself that this will be satisfactory, as well to those of you, gentlemen, who, having not heard of the adjournment, have been some days waiting in town, as to those who may be apprehensive that the business of the present session will demand a longer time, than can be conveniently afforded at this season of the year.

I have nothing of more importance at this time to recommend to your deliberation, than the lands of the commonwealth. It is scarcely necessary to remark, that this state, from its particular situation, as well as from the noble ardour of its citizens in defence of their liberties and independence, has accumulated a very heavy debt: the interest of which arises to ninety thousand pounds annually. This consideration, alone, gentlemen, should induce us, by every possible exertion, consistent with the peace of the com-

monwealth, to diminish the principal. In order to this, the great quantities of unappropriated territory, both in the eastern part of the government, as well as the immense tract lately ceded to us by the state of New York, afford ample resources, if wisely and expeditiously improved by that spirit of unanimity and discernment which I flatter myself will always distinguish your conduct, when the interest of the people is so deeply and essentially engaged in the result of your deliberations.

I am sorry that my duty urges me to mention to you the necessity of a small tax: but the treasury is so far exhausted, that the business of the government must cease its progress unless a tax is granted.

Since the last session, Luke Day, one of those persons for whose arrest a bounty was offered in consequence of an act of the legislature, has been taken by some of the citizens of New Hampshire, to whom one hundred pounds has been paid, upon their delivering him into the custody of the sheriff of the county of Suffolk. Could the late unhappy commotions be thrown into oblivion, consistently with the honour of government and the safety of the people, I persuade myself it would give satisfaction.

In the beginning of your last session, I laid before you the constitution and frame of government for the united states of America, agreed upon by the late general convention, and transmitted to me by congress. As the system was to be submitted to the people, and to be decided upon by their delegates in convention, I forbore to make any remarks upon it. The convention which you appointed to deliberate upon that important subject, have concluded their session, after having adopted and ratified the proposed plan, according to their resolution, a copy whereof, I

have directed the secretary to lay before you.

The obvious imbecility of the confederation of the united states, has too long given pain to our friends and pleasure to our enemies. But the forming a new system of government, for so numerous a people, of very different views and habits, spread upon such a vast extent of territory, containing such a great variety of soils, and under such extremes of climate, was a task, which nothing less than the dreadful apprehensions of losing our national existence, could have compelled the people to undertake.

We can be known to the world, only under the appellation of the united states; if we are robbed of the idea of our union, we immediately become separate nations, independent of each other, and no less liable to the depredations of foreign powers, than to wars and bloody contentions among ourselves. To pretend to exist as a nation, without possessing those powers of coercion, which are necessarily incident to the national character, would prove a fatal solecism in politics. The objects of the proposed constitution, are defence against external enemies, and the promotion of tranquillity and happiness among the states. Whether it is well calculated for those important purposes, has been the subject of extensive and learned discussion in the convention which you appointed. I believe there was never a body of men assembled, with greater purity of intention, or with higher zeal for the public interest. And although when the momentous question was decided, there was a greater division than some expected, yet there appeared a candour, and a spirit of conciliation, in the minority, which did them great honour, and afforded a happy presage of unanimity amongst the

people at large. Though so many of the members of the late convention could not feel themselves concerned that they ought to vote for the ratification of this system, yet their opposition was conducted with candid and manly firmness, and with such marks of integrity and real regard to the public interest, as did them the highest honour, and leaves no reason to suppose that the peace and good order of the government is not their object.

The amendments proposed by the convention, are intended to obtain a constitutional security of the principles to which they refer themselves, and must meet the wishes of all the states. I feel myself assured that they will very early become a part of the constitution: and when they shall be added to the proposed plan, I shall consider it the most perfect system of government, as to the objects it embraces, that has been known amongst mankind.

Gentlemen, as that Being, in whose hands is the government of all the nations of the earth, and who put down one, and raise up another, according to his sovereign pleasure, has given to the people of these states, a rich and an extensive country—has, in a marvellous manner, given them a name and a standing among the nations of the world—has blessed them with external peace, and internal tranquillity—I hope and pray that the gratitude of their hearts may be expressed by a proper use of those inestimable blessings—by the greatest exertions of patriotism—by forming and supporting institutions for cultivating the human understanding, and for the greatest progress of the arts and sciences—by establishing laws for the support of piety, religion, and morality, as well as for punishing vice and wickedness—and by exhibiting, on the great theatre of the world, those fo-

cial, public, and private virtues, which give more dignity to a people, possessing their own sovereignty, than crowns and diadems afford to sovereign princes.

Every matter of a public nature, which may occur, worthy of your notice, shall be communicated by message: and in every concern, tending to promote the public welfare, I shall be happy to concur with you, and be ready at all times to give every possible dispatch to the business that may come before you.

JOHN HANCOCK.

*Council chamber, Feb. 27, 1788.*



*Speech of his excellency gov. Huntington to the legislature of Connecticut, May 1788.*

*Gentlemen of the council, mr. Speaker, and gentlemen of the house of representatives.*

THE annual business of the May session, will at this time, of course, claim your attention.

It will be remembered, that the assembly, at their last session, were pleased to invest the governor with the necessary powers, in their recess, to furnish this state's quota of officers and troops, to be stationed on the western frontiers, agreeably to the act of congress of the third of October last. That business has been completed, so far as the duty devolved upon me: and the proceedings will be laid before you. The recruiting service is now going on: and it is probable there will be no difficulty in obtaining the complement of men.

The law of this state, made in pursuance of the act of congress, which makes provision for officers, soldiers, and seamen, disabled in the service of their country, in the late war, appears to be inadequate to



answer the design. While other states, and their citizens, are taking the full benefit of that provision, there are a number of meritorious officers and privates in this state, who, though suffering under their wounds, and equally deserving, can obtain no relief. Let me recommend to the assembly to make the necessary provision in this case.

The support of public faith is an object ever to be kept in view. Without it, no government can be long reputable—no people happy.

You will doubtless find it indispensable in the course of the present session, to make adequate provision for the support of civil government the current year.

There are several regulations of congress, which will also merit your consideration.

As we continue to enjoy the blessing of peace and internal quiet, and (with great satisfaction let me add) industry seems generally to pervade the state, will it not be wise for this assembly to devote a part of the session in consulting such measures as shall in the best manner aid and cultivate the arts of peace, promote agriculture, and such manufactures as ought to be encouraged, and may be carried on with profit to the undertakers, when the business is well understood?

It seems that a voluntary company in this city and its vicinity, are attempting to set up the woollen manufactory, in a manner so extensive as to reap the advantage of a proper division of labour, in the various branches of that business: will not it be proper for the assembly at this time to give some encouragement, in such manner as they shall judge most expedient, to promote and establish a business of so much importance as the woollen manufactory in this state? Our flocks of sheep are rapidly increasing, owing in some measure to

the encouragement the legislature have given for raising sheep, although other causes have no doubt co-operated in producing the effect: the principal raw materials for this manufactory may, with proper encouragement, abound in this state.

The promoting of education is a matter of great importance: more especially that degree of education which ought to be universally inculcated upon children and youth of all ranks and conditions of life. If we consider the subject, not only as it respects the happiness of individuals in this and a future life, but also the effect it must have with regard to the public weal, it will appear of the greatest importance: a happy constitution and government never can be enjoyed or maintained, by an illiterate or savage people.

The danger of neglecting the means of education lies more in obscure parts and parishes, than in populous cities and towns in this state.

Although government have been compelled, by necessity, to withhold for a time the aid and encouragement which was formerly given for the support of schools, is it not now become expedient for the legislature again to lend their fostering hand, in some way to encourage the necessary instruction of the succeeding generation?

There are other matters of importance which will doubtless claim a consideration, and which your wisdom and prudence will bring into view in the course of the session.

*Form of the ratification of the federal constitution by the Maryland convention.*

*Convention of the delegates of the people of the state of Maryland, 28th April, 1788:*

**W**E, the delegates of the people of the state of Maryland, ha-

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ving fully considered the constitution of the united states of America, reported to congress, by the convention of deputies from the united states of America, held in Philadelphia, on the 17th September, 1787, of which the foregoing is a copy\*, and submitted to us by a resolution of the general assembly of Maryland, in November session, 1787, do, for ourselves, and in the name and on the behalf of the people of this state, assent to and ratify the said constitution. In witness whereof we have hereunto subscribed our names.

The yeas and nays being taken, on the question to agree to the above ratification, were as follow :

Affirmative. The honourable the president ; messrs. Barnes, Chilton, Sewal, W. Tilghman, Yates, Perkins, Granger, Wilkinson, Grahame, Chesley, Smith, Brown, Parnham, Turner, Stone, Goldborough, Lloyd, Stevens, G. Gale, Waggaman, Stewart, John Gale, Hammond, Sullivan, Shaw, Gilpin, Hollingsworth, Heron, Evans, Bowie, O. Sprigg, Hall, Digges, Carrol, Hanson, J. Tilghman, Seney, Holliday, Hemfley, Chaille, J. Martin, Morris, Done, Johnson, Love, Potts, Faw, Paca, J. Richardson, Wm. Richardson, Driver, Edmonson, M'Henry, Coulter, T. Sprigg, Stull, Rawlings, Shryock, Cramphin, Thomas, Deakins, Edwards.

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Negative. Messrs. J. T. Chafe, S. Chafe, Mercer, Harrison, Ridgely, Ridgely of William, Cockev, Cromwell, Love, Pinckney, L. Martin, 11

NOTE.

\* A copy of the constitution, was annexed to the ratification.

*A speech, delivered by a minister to his people, in the town of \* \* \* \* \*, in the state of Massachusetts, on the 4th of January, 1787, previous to reading the address of the general court, of that state, at a lecture held for that purpose.*

*My fathers and brethren,*

YOU are not ignorant of the occasion for which we are now assembled. I have orders to communicate to you an address from the supreme authority of this commonwealth. They have appealed to you, in common with the rest of the community. They have laid before you their proceedings, and the motives of their conduct. As your civil fathers, they certainly deserve from you attention and respect : as a power, arising from your free and unbiassed election, they have a claim to your obedience. Many of them, you well know, in private life, to be men of unquestioned integrity. Their representation of the state of your affairs deserves great notice : and if you shut your eyes or senses against plain evidence, you are guilty of a high degree of madness and vice. Rude and unquiet spirits are constantly exasperating your passions against the conduct of your rulers. They are evidently endeavouring to enkindle the flames of war around you, and exposing this state, lately peaceable and happy, to all the horrors of confusion and carnage. Will you give a candid and gracious hearing to such pestilent, seditious men, who excite you to fury and arms, when you know some of them to be infamous in private life, and at the same time treat the solemn appeal of your delegated sovereignty with coolness and contempt ? You may possibly think, that I am out of the line of my office, in pronouncing my sentiments upon this subject, more especially, since, by the courtesy of

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the laws, men of my profession are exempted from public taxes. To excuse myself for this attempt, I would acquaint you, that the government have expressly requested the influence of our order, with their connexions, for the support of society, at this dark day. I have been also desired, by some respectable individuals in the parish, to exert myself for the same purpose. I feel animated to deliver my opinion freely, when I see the faces of so many friends, whose generosity and kindness have exceeded both my wishes and merits. From those who have expressed such a disposition in all other instances, I have reason to expect in this, patience and candour, though their apprehensions of the merits of the question be different from my own.

What I shall principally observe to you, at this time, may be comprehended in two parts. In the first, I shall make some remarks on the necessity of government—the different effects of those which are free, and those which are tyrannical—and the conduct of former nations under the latter: and then I shall come more immediately to our own country, and the commotions which prevail in it. These divisions, however, will not hinder me from intermingling such transient reflexions, in each of them, as may tend to illustrate and confirm both.

I trust, I need not be particular in proving to you the necessity of government and subordination among mankind. It is demonstrated, not only from the wants and vices of man, but from every part of the universe which is visible. Look up to the heavens over your head. Observe the sun, moon, and stars; the two former, how apparently superior to the latter, as to light and greatness! and, among the lesser luminaries, the same gradation is continued; since not only the discovery of

natural philosophy, but even the naked eye, discerns that one star differeth from another in glory. Look around the earth, in which we dwell: observe the difference between the oak upon the mountain and the plant of a day's growth—between the lion of the forest and the insect which crawls beneath your feet. Reflect upon the different powers and faculties of the human mind, from the most brilliant accomplished genius to the next idiot you meet—and then you must be persuaded, that heaven hath convinced you, by these striking testimonies, of the necessity of subordination among men—that to attempt to rebel against so plain a principle would not only be violating the positive laws of society, but making an attack upon nature herself. But if reason be unavailing to enforce the belief of so clear a truth—yet our feelings will confirm it. We see in the best-ordered communities, where there are the wisest laws, that crimes, terrible to nature, and to the peace and existence of individuals, are committed. What should we expect from the passions of men, in a state of licentiousness and anarchy, when these restraints are taken away? When wickedness is unrestrained by fear of punishment, and is attended by the passions of avarice, lust, and revenge, how horrid the condition of the weak and peaceable! It is those checks, and those alone, which keep your lives and property from being assaulted by the robber in the street—and enable you to sleep quietly on your beds, without dreading the midnight assassin. Thus the necessity of government is not only confirmed to you by the voice and works of providence, but is found, by the testimony of your own experience, as necessary for man as the elements wherein he breathes.

Government is various as to its forms and exercise. In most nations,

a single man is invested with the absolute disposal of the lives and fortunes of the people. Supposing that a man, perfectly wise and perfectly good, were intrusted with this power, it would, without doubt, be the best: for all measures would be planned with wisdom, and executed with vigour: but, considering the imperfection of the nature of man, this trust is too great and important for an individual. History hath abundantly certified it, by exhibiting to us so many monsters in human form, who have sacrificed mankind to their ambition, avarice, and cruelty. The evils of a despotic government are as great as those of anarchy: and they, who fly from a mild government to a monarchy, will soon find the terrible consequences of the latter. It would be well for such of our fellow citizens, as are enlisting under the banners of desperate wretches, to think first on the consequences of absolute power, before they contribute to establish it in the hands of some of the vilest and weakest of the human species.

To remedy the evils of despotic power, some of the wisest nations have established free governments. Their salutary influence hath been shown and witnessed by the bright pages of human history. Renowned for wisdom, for virtue, for arms and for opulence, hath marked the character of those regions, where national liberty hath been enjoyed, and where a proper share of power and honour is proportioned to the several ranks in the community. But even these nations have not been without commotions similar to our own: the effect of them was the loss of their freedom. At Athens, some useful demagogue procured a law for the abolition of debts, and the equal division of property. The former was carried into execution: the latter never was. The common people

soon found they were the tools of designing men: they remained equally unhappy and indigent. The same people were inveigled, by deceiving traitors, to banish their best and wisest men—to neglect providing for war—to break private contracts—to quarrel and be factious among themselves. Philip of Macedon took the advantage of their condition, and conquered their country.

When Catiline designed to burn the city of Rome, and murder all ranks of people indiscriminately, he professed himself to be the patron of the poor: and many there were, who wished him success, whom he intended to have involved in ruin and death; so apt and easy are the multitude to be deceived, and so loth are they to hear the truth. Cæsar succeeded in tyranny over the same nation, by acting a very similar part; he affected to free Rome from the tyranny of the senate: and in the end, both senate and people were slaves.

These are, my friends, solemn and affecting examples. Their history, like the tombs of the dead, affords both warning and terror. The freedom and dignity of a nation are acquired by blood and danger. It is easy to sacrifice these advantages, in the moments of suspicion and caprice.

The citizens of America engaged in the revolution, from a thorough conviction, that their rights and privileges were invaded. Some pledged their estates, some their service, and others their lives. The two former of these would have reason to class us with the most infamous of mankind, if we attempt to cheat them out of their property: and yet the payment of public contracts is held up as one of the grievances of the day: and we are threatened, because this is not done, not merely with the destruction of our form of go-



vernment, but with a dissolution of the union, And the malcontents have openly boasted, that they can have assistance from Britain, if too weak of themselves to accomplish their design. But be not deceived. Vengeance will overtake us, if we attempt to break public faith or private engagements. France, Spain, and Holland would league against a country so much their debtor. The domestic creditors of the commonwealth would unite in defeating so impious a design: and every honest man in the community would either draw his sword, or open his purse, to defeat so much villainy and fraud. These consequences are as certain as they are near. There is, therefore, no time to trifle. Every man ought to know the effects of his conduct, before he begins. These commotions will very soon bring on a civil war in the land, and with it all the evils which affect humanity. Every fierce and ungovernable passion, which disturbs the human breast, will be displayed. Cruelty, rapine, and carnage will mark its footsteps. Poverty and tyranny will close the train. In fact, as the Roman orator justly observed, from the fatal experience of it in his own country—"In civil wars, every calamity is felt. Conquest itself is to be dreaded, though it should fall to the right cause: for if the better side are disposed to be mild and gentle by nature, they are forced to be cruel by necessity, for their establishment and preservation." May heaven preserve us from proving the justice of these observations in our own country! Therefore, before we are so rash, as to oppose a government constituted by the people, we ought solemnly to consider the effects of such an attempt. There are always citizens whom pride, idleness, or despair, prompts to hazardous undertakings. If the sober part of the

community join with and support these incendiaries, the latter must be equally answerable, for the blood that is spilled, and for the ruin brought on their country, before the tribunal of Omnipotence.

But over whom do these armed multitudes wish to gain a victory? Over a foreign enemy? Over a sceptred tyrant, who hath invaded their rights, and slaughtered their brethren? Over the barbarians of the wilderness? None of these are the objects of their opposition. With whom, then, are they waging war? With venerable, grey-headed citizens, who are entrusted with the execution of the laws—with the majesty of the laws—with the tribunals of justice—with the form and essence of our constitution—with the peace and property of every virtuous man in the state. Their victory will be followed with the ruin and tears of the widow and orphan—with the stagnation of commerce—in fine, with every curse that can befall a free and opulent nation. Happy are they who are already numbered with the dead, and are not living witnesses of the disgrace and destruction of their country.

Charity obliges me to think favourably of the common people, who have been concerned in these insurrections: but however honest or good their motives may be, they are a very dangerous set of men: for admitting that grievances in government are existing, have they used the proper means to redress them? Are they men of information and experience? Are they not prejudiced, even to rancour, against all who have the administration of public affairs? How many disorders are committed by young men, in the hour of mirth and recreation, when their spirits are raised by company and wine? How many more disorders, then, may we expect from men who



are drunk with passion, infligated to arms by false reports, and under the direction of leaders of dissolute, abandoned morals, and desperate circumstances—men who, so far from wishing to undeceive them, will take pleasure in inflaming their resentment—under leaders who have no hopes, or prospects, but from the destruction of the commonwealth?

There is not a man, in his cool moments, but will pronounce such a recourse to arms, in a government like ours, as unnecessary as dangerous.

Hath not the meanest citizen a right in all important elections? Are not our governor, senate, and representatives annually chosen? Cannot we cause them to return to private life, if they have acted weakly or wickedly? What constitution can be more liberal and equal? When the people delegate their authority, those, to whom that trust is committed, must have both influence and power, or else the design of their appointment is defeated—and they who elect, lose the advantages of society, by reverting to a state of anarchy and nature. But the present authority hath by no means been negligent, either of the wishes of the people, or the good of the commonwealth. In their last session, they passed an act for the relief of debtors, making real and personal property a tender for debts. Several laws have been enacted, respecting writs and references, which have nearly annihilated the inferior courts. They have lowered the fees of civil officers, at least a quarter part—and we have no doubt that other supposed grievances would have been redressed, had not the dignity of government been insulted with armed rioters—and riotous men supposed they had a right to demand, by force, what they neglected to apply for in a peaceable manner.

Our grievances, I am persuaded,

by no means originate from our present authority, or the domestic charges of government: for they spring from other causes, notorious to every sensible man in the community. We have lived in luxury since the peace. The memory of paper money hath rendered property precarious, and prevented the opulent from engaging in such modes of business as would increase their property, and find employment for the poor. Let us endeavour to remedy these defects by wise and good laws, which shall secure to every man his property. Let us introduce economy, not only into the administration of government, but into our own houses. Let the debtor be open and fair, and, as far as possible, punctual to his engagements. Let the creditor avoid needless law-suits, nor drive the lower orders of society to despair. In one word—if we endeavour to fill up the duties we owe to government and ourselves, in the best manner we are able to do, I am persuaded our affairs will assume a new countenance. We should be more respected abroad, and happier at home. We have a large and extensive country. We have advantages both for foreign commerce and internal manufactures. The reason why we at present suffer, is because these benefits are not improved. Let our laws be wise and salutary, and let us wait patiently until they can have time to operate, and no doubt we shall see an alteration in the state of our country.

Let me therefore, my friends, once more renew my request to you—that you would examine into the facts, which, from the mouth of our supreme authority, I shall now pronounce in your hearing. Let me conjure you, by all that is sacred and dear to you, not to harbour prejudices against the government which you have yourselves pronounced law-

ful. Excuse me, if I am the more earnest on this point, when you know my reasons. For these six months past, infamous and vile men have made it their employment to propagate notorious falsehoods, respecting the first names and officers in this commonwealth. They have succeeded too well for your peace and tranquillity. From this source, we may trace out no small degree of that suspicion and jealousy, which hath soured many (otherwise well-disposed) persons, not only towards men, but even the laws themselves.

Public slander, like private, is odious to all sober, considerate men. The effects of the former are much more mischievous than the latter, as the quiet and felicity of a nation are more to be regarded than those of a single person. Public calumny was the cause why Socrates was murdered with the forms of law. It was the same principle, which infligated the mobs of Athens and of Rome to banish their best citizens, and commit the administration of their affairs to men of the blackest minds and most depraved manners.

While I am addressing you upon the subject of public calumny, and warning you of the fatal consequences of it, I would beg your attention while I refute a popular error imbibed by many at this day, and which is received by the inexperienced part of the community as a truth, i. e. that men in place and power are in league with the opulent part of the community, to trample upon the rights of the poor, and engross the wealth of the country in the hands of a few. With respect to men in public offices, the short time of their continuance in trust, and their dependence on the people at large for re-election, must appear a sufficient confutation of the charge. Nor doth the accusation against men of property appear to be better sup-

ported. If a tyrannical form of government is introduced, will not their immediate posterity be sufferers with others? Indeed, there are so few of us raised beyond moderate circumstances, and our form of government is so popular, that we have very little to fear, at this day, from men of property.

I have thus far, with great freedom, offered my sentiments upon our affairs. Notwithstanding our present embarrassments, we have the means of felicity in our hands. We have a free government—and time, industry and moderation will effectually lighten our present burdens. But if we go on in dissipation and prodigality—in riot and tumult—melancholy experience will soon demonstrate, that tyranny and licentiousness are nearly allied:—we shall lay a foundation for very serious reflexion—which will terminate, not in reformation, but despair.



*Resolutions entered into by the house of burgesſes of Virginia, relative to the stamp-act, on the 29th of May, 1765.*

**W**HEREAS the honourable house of commons in England, have of late drawn into question, how far the general assembly of this colony hath power to enact laws for laying taxes and imposing duties, payable by the people of this his majesty's most ancient colony; for settling and ascertaining the same to all future times, the house of burgesſes of this present general assembly have come to the several following resolutions:

Resolved, that the first adventurers and settlers of this his majesty's colony and dominion of Virginia, brought with them, and transmitted to their posterity, and all other his majesty's subjects since inhabiting in this his

majesty's colony, all the privileges and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain.

Resolved, that by the two royal charters granted by king James the first, the colonists aforesaid are declared entitled to all privileges of faithful, liege, and natural born subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

Resolved, that his majesty's liege people of this his most ancient colony, have enjoyed the right of being thus governed by their own assembly, in the article of taxes and internal police, and that the same have never been forfeited, or any other way yielded up, but have been constantly recognized by the king and people of Great Britain.

Resolved, therefore, that the general assembly of this colony, together with his majesty or his substitute, have, in their representative capacity, the only exclusive right and power to lay taxes and impositions upon the inhabitants of this colony; and that every attempt to vest such a power in any person or persons whatsoever, other than the general assembly aforesaid, is illegal, unconstitutional, and unjust, and has a manifest tendency to destroy British, as well as American freedom.

*The following resolves were drawn up by the committee, but not passed.*

Resolved, that his majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatsoever designed to impose any taxation whatsoever upon them, other than the laws and ordinances of the general assembly aforesaid.

Resolved, that any person who shall, by speaking or writing, maintain that any person or persons, other than the general assembly of this co-

lony, have any right or power to impose or lay any taxation whatsoever on the people here, shall be deemed an enemy to this his majesty's colony.



*Resolutions agreed to by the house of assembly of the province of Pennsylvania, relative to the stamp-act, September 21, 1765.*

THE house taking into consideration, that an act of parliament has lately passed in England, for imposing certain stamp-duties, and other duties on his majesty's subjects in America, whereby they conceive some of their most essential and valuable rights as British subjects, to be deeply affected, think it a duty they owe to themselves, and their posterity, to come to the following resolutions, viz.

Resolved, *nem. con.* that the assemblies of this province have, from time to time, whenever requisitions have been made by his majesty, for carrying on military operations for the defence of America, most cheerfully and liberally contributed their full proportion of men and money for those services.

Resolved, *nem. con.* that whenever his majesty's service shall, for the future, require the aids of the inhabitants of this province, and they shall be called upon for that purpose, in a constitutional way, it will be their indispensable duty most cheerfully and liberally to grant to his majesty their proportion of men and money, for the defence, security, and other public services of the British American colonies.

Resolved, *nem. con.* that the inhabitants of this province are entitled to all the rights and privileges of his majesty's subjects in Great Britain, or elsewhere; and that the constitu-

tion of government in this province is founded on the natural rights of mankind, and the noble principles of English liberty; and therefore is, or ought to be perfectly free.

Resolved, *nem. con.* that it is the inherent birth-right and indubitable privilege of every British subject, to be taxed only by his own consent, or that of his legal representatives, in conjunction with his majesty, or his substitutes.

Resolved, *nem. con.* that the only legal representatives of the inhabitants of this province, are the persons they annually elect to serve as members of assembly.

Resolved, therefore, *nem. con.* that the taxation of the people of this province, by any other persons whatsoever, than such their representatives in assembly, is unconstitutional, and subversive of their most natural rights.

Resolved, *nem. con.* that the laying taxes upon the inhabitants of this province in any other manner, being manifestly subversive of public liberty, must, of necessary consequence, be utterly destructive of public happiness.

Resolved, *nem. con.* that the vesting an authority in the courts of admiralty, to decide in suits relating to the stamp duties, and other matters, foreign to their proper jurisdiction, is highly dangerous to the liberties of his majesty's American subjects, contrary to magna charta, the great charter and fountain of English liberty, and destructive of one of their most darling and acknowledged rights, that of trials by juries.

Resolved, *nem. con.* that it is the opinion of this house, that the restraints imposed by several acts of parliament on the trade of this province, at a time when the people labour under an enormous load of debt, must of necessity be attended with the most fatal consequences, not only to

this province, but to the trade of our mother country.

Resolved, *nem. con.* that this house think it their duty thus firmly to assert, with modesty and decency, their inherent rights, that their posterity may learn and know, that it was not with their consent and acquiescence, that any taxes should be levied on them by any persons but their own representatives; and are desirous that these their resolves should remain on their minutes, as a testimony of the zeal and ardent desire of the present house of assembly to preserve their inalienable rights, which, as Englishmen, they have possessed ever since this province was settled, and to transmit them to their latest posterity."



*Address of the house of delegates of Maryland, to the governor of said province.*

To his excellency Horatio Sharpe, esq. governor and commander in chief in and over the province of Maryland: the humble address of the house of delegates.

May it please your excellency,

WE, his majesty's most dutiful and loyal subjects, the delegates of the freemen of the province of Maryland, in assembly convened, return your excellency our thanks for your speech at the opening of this session; and beg leave to assure you, that the opportunity your excellency has now afforded us, of promoting the true interest of our country, is extremely agreeable to us.

As we have thought it our indispensable duty to our constituents, at this time to appoint a committee of some of our members, to join committees from the houses of representatives of the other colonies on the continent, who are to meet in the



city of New-York, on the first Tuesday in October next, in order to join in a general and united dutiful, loyal, and humble representation to his majesty and the British parliament, of the circumstances and condition of the British colonies and plantations; and to implore relief against some acts of parliament, we are informed, have lately passed in England, whereby, it is apprehended, the liberty of the colonies will be greatly abridged, which, with the matters necessarily relative to, and dependent upon it, (wherein we have met with some very unexpected delays), has so wholly engrossed our attention, that we have not yet even settled any of our ordinary rules for proceeding: we cannot doubt but we shall stand excused for being thus late in answering your excellency's speech: and having now very nearly completed that affair, and as the next month will be chiefly taken up in adjourned county courts, by which several of our members must be taken from the business of the house, or great numbers suffer by their suits continuing open at this time, we hope your excellency will, as soon as the present important business is finished, give us a short recess of a few weeks, that those inconveniences may be removed, when we shall be very glad to have an opportunity of proceeding to the dispatch of the interesting matters your excellency has been pleased to recommend to us, and to concur with the other branches of the legislature, in every measure tending to produce the general welfare of our country, which we are much pleased to be assured by your excellency, you also consider as your own.

ROBERT LLOYD, Speaker.

Sept. 21, 1765.

Vol. III. No. V.

*The governor's answer.*

*Gentlemen of the lower house of assembly.*

As I perceive by your address, which hath been just presented to me, that you are desirous to have a short recess of a few weeks, I shall comply with your request; but it being probable that the stamped paper destined for this province, in consequence of the act of parliament that was made last session, by the legislature of Great-Britain, will arrive here before I shall have an opportunity of advising with you again, and that the master of the vessel who may have charge thereof, will desire me to give orders for its being landed, and lodged in a place of security, especially as the person appointed to distribute the stamps here, has, I understand, left the province, I should be glad to know how you would advise me to act on such an occasion.

Sept. 28.

HORATIO SHARPE.



*Resolutions agreed to by the lower house of assembly in the province of Maryland, September 28, 1765.*

Resolved unanimously, that the first adventurers and settlers of this province of Maryland brought with them, and transmitted to their posterity, and all other his majesty's subjects since inhabiting in this province, all the liberties, privileges, franchises, and immunities, that at any time have been held, enjoyed and possessed, by the people of Great-Britain.

Resolved unanimously, that it was granted by magna charta, and other the good laws and statutes of England, and confirmed by the petition and bill of rights, that the subject should not be compelled to contribute to any tax, tallage, aid, or other like



charge, not set by common consent of parliament.

Resolved unanimously, that by a royal charter, granted by his majesty king Charles I. in the eighth year of his reign, and in the year of our Lord 1632, to Cæcilius, then lord Baltimore, it was, for the encouragement of people to transport themselves and families into this province, among other things covenanted and granted by his said majesty, for himself, his heirs and successors, as followeth :

[Here are recited such parts of their charter as may be seen in the 10th and 20th clauses of the Maryland charter.] After which they proceeded thus :

Resolved that it is the unanimous opinion of this house, that the said charter is declaratory of the constitutional rights and privileges of the freemen of this province.

Resolved unanimously, that trial by jury is the grand bulwark of liberty, the undoubted birthright of every Englishman, and consequently of every British subject in America : and that the erecting other jurisdictions for the trial of matters of fact, is unconstitutional, and renders the subject insecure in his liberty and property.

Resolved, that it is the unanimous opinion of this house, that it cannot with any truth or propriety be said, that the freemen of this province of Maryland are represented in the British parliament.

Resolved unanimously, that his majesty's liege people of this ancient province, have always enjoyed the right of being governed by laws, to which they themselves have consented in the article of taxes, and internal policy ; and that the same hath never been forfeited, or any other way yielded up ; but hath been constantly recognized by the king and people of Great Britain.

Resolved, that it is the unanimous opinion of this house, that the representatives of the freemen of this province, in their legislative capacity, together with the other part of the legislature, hath the sole right to lay taxes and impositions on the inhabitants of this province, or their property and effects : and that the laying, imposing, levying, or collecting any tax on or from the inhabitants of Maryland, under colour of any other authority, is unconstitutional, and a direct violation of the rights of the freemen of this province.



*Queries proposed by the chief justice of the supreme court held at Perth Amboy, to the lawyers of said court, September 20, 1765.*

**W**HETHER, if the Stamp should arrive, and be placed at the city of Burlington, by or after the first of November, they would, as practitioners, agree to purchase them, for the necessary proceedings in the law ?

Resolved, by the whole body, *non. con.* they would not, but rather suffer their private interell to give way to the public opinion, protesting at the same time against all riotous and indecent behaviour, which they will discountenance by every means in their power, to preserve order, and by an absolute refusal to make use of the stamps, and other quiet methods, endeavour to obtain a repeal of the law.

Second, Whether it was their opinion, that should the act take place, the duties could possibly be paid in gold and silver ?

Answered by the whole body, It could not be paid in gold and silver even for one year.

Third, Their opinion was desired

whether, as the act required the governor and chief justice to superintend the distributor, he should be obliged to take charge of the distribution of the stamps, by order and appointment of the governor, if he should think proper to fix upon him for that office?

Answered and advised, not to take it upon him, the governor not being empowered by the act to appoint; or if he was, it was left to the chief justice's option, and that it would be incompatible with his office as chief justice.

The lawyers also of New-Jersey met, and resolved to lose all their business, rather than make use of any stamps.



*Extract from instructions of the inhabitants of the town of Plymouth to Thomas Forster esq. their representative in the general assembly of Massachusetts's bay. Oct. 21, 1765.*

YOU, sir, represent a people who are not only descended from the first settlers of this country, but inhabit the very spot they first possessed. Here was first laid the foundation of the British empire in this part of America, which from a very small beginning, has increased and spread in a manner very surprising, and almost incredible; especially when we consider that all this has been effected without the aid or assistance of any power on earth; that we have defended, protected, and secured ourselves against the invasions and cruelty of savages, and the subtlety and inhumanity of our inveterate and natural enemies the French; and all this without the appropriation of any tax by stamps, or stamp acts laid upon our fellow subjects in any part of the king's dominions, for defraying the expenses thereof. This

place, sir, was at first the asylum of liberty, and we hope will ever be preserved sacred to it; though it was then no more than a forlorn wilderness, inhabited only by savage men and beasts. To this place our fathers (whose memories be revered) possessed of the principles of liberty in their purity, disdaining slavery, fled to enjoy those privileges which they had an undoubted right to, but were deprived of by the hands of violence and oppression in their native country. We, sir, their posterity, the freeholders and other inhabitants of this town, legally assembled for that purpose, possessed of the same sentiments, and retaining the same ardour for liberty, think it our indispensable duty, on this occasion, to express to you these our sentiments of the stamp act, and its fatal consequences to this country, and to enjoin upon you, as you regard not only the welfare, but the very being of this people, that you (consistent with our allegiance to the king, and relation to the government of Great Britain) disregarding all proposals for that purpose, exert all your power and influence in relation to the stamp act, at least until we hear the success of our petitions for relief. We likewise, to avoid disgracing the memories of our ancestors, as well as the reproaches of our own consciences and the curses of posterity, recommend it to you to obtain, if possible, in the honourable house of representatives of this province, a full and explicit assertion of our rights, and to have the same entered on their public records that all generations yet to come, may be convinced, that we have not only a just sense of our rights and liberties, but that we never (with submission to divine providence) will be slaves to any power on earth; and as we have at all times an abhorrence of tumults and disorders, we think ourselves happy in being at present under no

apprehensions of any, and in having good and wholesome laws sufficient to preserve the peace of the province in all future times, unless provoked by some imprudent measure : so we think it by no means it adviseable for you to interest yourself in the protection of stamp papers, or stamp officers.

The only thing we have further to recommend to you at this time, is to observe on all occasions a suitable frugality and economy in the public expenses ; and that you consent to no unnecessary or unusual grant at this time of distress, when the people are groaning under the burden of heavy taxes : and that you use your endeavours to enquire into, and bear testimony against, any past and to prevent any future unconstitutional drafts on the public treasury.



*The American crisis. No 1.*

*By Mr. Thomas Payne.—Published in December, 1776.*

**T**HESE are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country : but he that stands it now, deserves the thanks of man and woman. Tyranny, like hell, is not easily conquered : yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly : 'tis deaneless only, that gives every thing its value. Heaven knows how to set a proper price upon its goods ; and it would be strange, indeed, if so celestial an article as freedom should not be highly rated. Britain, with an army to enforce her tyranny, has declared, that she has a right, not only to tax, but "to bind us in all

cases whatsoever : " and if being bound in that manner is not slavery, there is not such a thing as slavery upon earth. Even the expression is impious : for so unlimited a power can belong only to God.

Whether the independence of the continent was declared too soon, or delayed too long, I will not now enter into as an argument : my own simple opinion is, that had it been eight months earlier, it would have been much better. We did not make a proper use of last winter ; neither could we, while we were in a dependent situation. However, the fault, if it were one, was all our own : we have none to blame but ourselves\*. But no great deal is lost yet : all that Howe has been doing for this month past, is rather a ravage than a conquest, which the spirit of the Jerries a year ago, would have quickly repulsed, and which time and a little resolution will soon recover.

I have as little superstition in me as any man living : but my secret opinion has ever been, and still is, that God will not give up a people to military destruction, or leave them unsupportedly to perish, who had so earnestly and so repeatedly sought to avoid the calamities of war, by every decent method which wisdom could invent. Neither have I so much of the infidel in me, as to suppose that he has relinquished the government of the world, and given us up to the care of devils : and as I do not, I cannot see on what grounds

NOTE.

\* The present winter is worth an age, if rightly employed : but if lost, or neglected, the whole continent will partake of the evil : and there is no punishment that man does not deserve, be he who, or what, or where he will, that may be the means of sacrificing a season so precious and useful.

the king, can look up to heaven for help against us. A common murderer, a highwayman, or a house-breaker, has as good a pretence as he.

'Tis surprising to see how rapidly a panic will sometimes run through a country. All nations and ages have been subject to them. Britain has trembled like an ague, at the report of a French fleet of flat-bottomed boats: and in the fourteenth century, the whole English army, after ravaging the kingdom of France, was driven back, like men petrified with fear: and this brave exploit, was performed by a few broken forces, collected and headed by a woman, Joan of Arc. Would that heaven might inspire some Jersey maid to spirit up her countrymen, and save her fair fellow sufferers from ravage and ravishment! Yet panics, in some cases, have their uses: they produce as much good as hurt. Their duration is always short: the mind soon grows through them, and acquires a firmer habit than before. But their peculiar advantage is, that they are the touchstones of sincerity and hypocrisy, and bring things and men to light, which might otherwise have lain for ever undiscovered. In fact, they have the same effect upon secret traitors, which an imaginary apparition would upon a private murderer. They sift out the private thoughts of man, and hold them up in public to the world. Many a disguised tory has lately shown his head, that shall penitentially solemnize with curses the day on which Howe arrived upon the Delaware.

As I was with the troops at Fort Lee, and marched with them to the edge of Pennsylvania, I am well acquainted with many circumstances, which those, who lived at a distance, know little or nothing of. Our situation there was exceedingly cramped, the place being on a narrow neck of land, between the North river and

the Hackinsack. Our force was inconsiderable, being not one fourth so great as Howe could bring against us. We had no army at hand, to have relieved the garrison, had we shut ourselves up, and stood on the defence. Our ammunition, light artillery, and the best part of our stores, had been removed, upon the apprehension that Howe would endeavour to penetrate the Jerseys, in which case Fort Lee could have been of no use to us: for it must occur to every thinking man, whether in the army or not, that these kinds of field-forts are only fit for temporary purposes, and last in use no longer than the enemy directs his force against the particular object which such forts were raised to defend. Such was our situation and condition at Fort Lee, on the morning of the twentieth of November, when an officer arrived with information, that the enemy, with two hundred boats, had landed about seven or eight miles above. Major-general Greene, who commanded the garrison, immediately ordered them under arms, and sent express to his excellent general Washington, at the town of Hackinsack, distant, by way of the ferry, six miles. Our first object was to secure the bridge over the Hackinsack, which lay up the river, between the enemy and us, about six miles from us, and three from them. General Washington arrived in about three quarters of an hour, and marched at the head of the troops to the bridge, which place I expected we should have a brush for: however, they did not choose to dispute it with us: and the greatest part of our troops went over the bridge, the rest over the ferry, except some which passed at a mill, on a small creek, between the bridge and the ferry, and made their way through some marshy grounds, up to the town of Hackinsack, and there



passed the river. We brought off as much baggage as the waggons could contain : the rest was lost. The simple object was to bring off the garrison, and to march them on till they could be strengthened by the Jersey or Pennsylvania militia, so as to be enabled to make a stand. We staid four days at Newark, collected in our out-posts, with some of the Jersey militia, and marched out twice to meet the enemy, on information of their being advancing, though our numbers were greatly inferior to theirs. General Howe, in my opinion, committed a great error in generalship, in not throwing a body of forces off from Staten Island through Amboy, by which means he might have seized all our stores at Brunswick, and intercepted our march into Pennsylvania. But if we believe the power of hell to be limited, we must likewise believe that their agents are under some providential controul.

I shall not now attempt to give all the particulars of our retreat to the Delaware. Suffice it for the present to say, that both officers and men, though greatly harrassed and fatigued, frequently without rest, covering, or provision, the inevitable consequences of a long retreat, bore it with a manly and a martial spirit. All their wishes were one; which was, that the country would turn out, and help them to drive the enemy back. Voltaire has remarked, that king William never appeared to full advantage, but in difficulties and in action. The same remark may be made on general Washington, for the character fits him. There is a natural firmness in some minds, which cannot be unlocked by trifles; but which, when unlocked, discovers a cabinet of fortitude: and I reckon it among those kind of public blessings which we do not immediately see, that God hath blessed him with unin-

terrupted health, and given him a mind that can even flourish upon care.

I shall conclude this paper with some miscellaneous remarks on the state of our affairs; and shall begin with asking the following question: why is it that the enemy hath left the New England provinces, and made these middle ones the seat of war? The answer is easy: New-England is not infested with tories, and we are. I have been tender in raising the cry against these men, and used numberless arguments to show them their danger: but it will not do to sacrifice a world to either their folly or their baseness. The period is now arrived, in which either they or we must change our sentiments, or one or both must fall. And what is a tory? good God! what is he? I should not be afraid to go with an hundred whigs against a thousand tories, were they to attempt to get into arms. Every tory is a coward; for a servile, slavish, self-interested fear is the foundation of toryism; and a man under such influence, though he may be cruel, never can be brave.

But before the line of irrecoverable separation may be drawn between us, let us reason the matter together: your conduct is an invitation to the enemy; yet not one in a thousand of you has heart enough to join him. Howe is as much deceived by you, as the American cause is injured by you. He expects you will all take up arms, and flock to his standard with muskets on your shoulders. Your opinions are of no use to him, unless you support him personally; for it is soldiers, and not tories, that he wants.

I once felt all that kind of anger, which a man ought to feel, against the mean principles that are held by the tories. A noted one, who kept a tavern at Amboy, was standing at his door, with as pretty a child in his hand, about eight or nine years old,



as most I ever saw; and after speaking his mind as freely as he thought was prudent, finished with this unfatherly expression, "well, give me peace in my day." Not a man lives on the continent, but fully believes that separation must some time or other finally take place, and a generous parent would have said, "if there must be trouble, let it be in my day, that my child may have peace;" and this single reflection, well applied, is sufficient to awaken every man to duty. Not a place upon earth might be so happy as America. Her situation is remote from all the wrangling world, and she has nothing to do but to trade with them. A man may easily distinguish in himself between temper and principle, and I am as confident as I am that God governs the world, that America will never be happy till she gets clear of foreign dominion. Wars, without ceasing, will break out till that period arrives, and the continent must, in the end, be conqueror; for, though the flame of liberty may sometimes cease to shine, the coal never can expire.

America did not, nor does not want force; but she wanted a proper application of that force. Wisdom is not the purchase of a day, and it is no wonder we should err at first setting off. From an excess of tenderness, we were unwilling to raise an army, and trusted our cause to the temporary defence of a well meaning militia. A summer's experience has now taught us better; yet with those troops, while they were collected, we were able to set bounds to the progress of the enemy; and, thank God! they are again assembling. I always considered a militia as the best troops in the world for a sudden exertion, but they will not do for a long campaign. Howe, it is probable, will make an attempt on this city; should he fail on this side the Delaware, he is ruined; if he succeeds, our cause

is not ruined. He stakes all on his side against a part on ours; admitting he succeeds, the consequence will be, that armies from both ends of the continent will march to assist their suffering friends in the middle states; for he cannot go every where; it is impossible. I consider Howe as the greatest enemy the tories have; he is bringing a war into their own country, which, had it not been for him and partly for themselves, they had been clear of. Should he now be expelled, I wish, with all the devotion of a christian, that the names of whig and tory may never more be mentioned; but should the tories give him encouragement to come, or assistance if he come, I as sincerely wish that our next year's arms may expel them from the continent, and the congress appropriate their possessions to the relief of those who have suffered in well-doing. A single successful battle next year will settle the whole. America will carry on a two-years war by the confiscation of the property of disaffected persons, and be made happy by their expulsion. Say not that this is revenge: call it rather the soft resentment of a suffering people, who, having no object in view but the good of all, have staked their own all upon a seemingly doubtful event. Yet it is folly to argue against determined hardness: eloquence may strike the ear, and the language of sorrow draw forth the tear of compassion, but nothing can reach the heart that is steeled with prejudice.

Quitting this class of men, I turn, with the warm ardour of a friend, to those who have nobly stood, and are yet determined to stand the matter out. I call not upon a few, but upon all; not on this state, or that state, but on every state. Up and help us. Lay your shoulders to the wheel. Better have too much force than too little, when so great an object is at stake. Let it be told to the future

world, that in the depth of winter, when nothing but hope and virtue could survive, that the city and the country, alarmed at one common danger, came forth to meet and to repulse it. Say not that thousands are gone: turn out your tens of thousands: throw not the burden of the day upon providence, but show your faith by your good works, that God may bless you. It matters not where you live, or what rank of life you hold; the evil or the blessing will reach you all. The far and the near, the home counties and the back, the rich and the poor, shall suffer or rejoice alike. The heart that feels not now, is dead. The blood of his children shall curse his cowardice, who shrinks back at a time when a little might have saved the whole and made them happy. I love the man that can smile in trouble—that can gather strength from distress, and grow brave by reflexion. It is the business of little minds to shrink; but he, whose heart is firm, and whose conscience approves his conduct, will pursue his principles unto death. My own line of reasoning is to myself, as strait and clear as a ray of light. Not all the treasures of the world, so far as I believe, could have induced me to support an offensive war; for I think it murder: but if a thief break into my house—burn and destroy my property, and kill, or threaten to kill me and those that are in it, and to “bind me in all cases whatsoever,” to his absolute will, am I to suffer it? What signifies it to me, whether he who does it, is a king or a common man; my countryman, or not my countryman; whether it is done by an individual villain, or an army of them? If we reason to the root of things, we shall find no difference; neither can any just cause be assigned, why we should punish in the one case and pardon in the other. Let them call me rebel, and welcome; I feel

no concern from it; but I should suffer the misery of devils, were I to make a whore of my soul, by swearing allegiance to one whose character is that of a sottish, stupid, stubborn, worthless, brutish man. I conceive likewise, a horrid idea in receiving mercy from a being, who at the last day, shall be shrieking to the rocks and mountains to cover him, and fleeing with terror from the orphan, the widow, and the slain of America.

There are cases which cannot be overdone by language; and this is one. There are persons too, who see not the full extent of the evil that threatens them. They solace themselves with hopes, that the enemy, if they succeed, will be merciful. It is the madness of folly, to expect mercy from those who have refused to do justice: and even mercy, where conquest is the object, is only a trick of war. The cunning of the fox is as murderous as the violence of the wolf, and we ought to be equally on our guard against both. Howe's first object is partly by threats, and partly by promises, to terrify or seduce the people to give up their arms, and receive mercy. The ministry recommended the same plan to Gage: and this is what the Tories call making their peace—"a peace which passeth all understanding," indeed. A peace which would be the immediate forerunner of a worse ruin than any we have yet thought of. Ye men of Pennsylvania, do reason upon those things! Were the back counties to give up their arms, they would fall an easy prey to the Indians, who are all armed. This, perhaps, is what some Tories would not be sorry for. Were the home counties to deliver up their arms, they would be exposed to the resentment of the back counties, who would then have it in their power to chastise their defection at pleasure. And were any one State to give up

its arms, that state must be garrisoned by all Howe's army of Britons and Hessians, to preserve it from the anger of the rest. Mutual fear is a principal link in the chain of mutual love, and woe be to that state that breaks the compact. Howe is mercifully inviting you to a barbarous destruction, and men must be either rogues or fools that will not see it. I dwell not upon the vapours of imagination. I bring reason to your ears; and in language as plain as A, B, C, hold up truth to your eyes.

I thank God, that I fear not. I see no real cause for fear. I know our situation well, and can see the way out of it. While our army was collected, Howe dared not risk a battle: and it is no credit to him, that he decamped from the White Plains, and waited a mean opportunity to ravage the defenceless Jerseys: but it is great credit to us, that, with an handful of men, we sustained an orderly retreat for near an hundred miles, brought off our ammunition, all our field pieces, the greatest part of our stores, and had four rivers to pass. None can say, that our retreat was precipitate: for we were near three weeks in performing it, that the country might have time to come in. Twice we marched back to meet the enemy, and remained out till dark. The sign of fear was not seen in our camp: and had not some of the cowardly and disaffected inhabitants spread false alarms through the country, the Jerseys had never been ravaged. Once more, we are again collected and collecting. Our new army, at both ends of the continent, is recruiting fast: and we shall be able to open the next campaign with sixty thousand men, well armed and clothed. This is our situation—and who will, may know it. By perseverance and fortitude, we have the prospect of a glorious issue; by cow-

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ardice and submission, the sad choice of a variety of evils—a ravaged country—a depopulated city—habitations without safety—and slavery without hope—our homes turned into barracks and bawdy-houses for Hessians—and a future race to provide for, whose fathers we shall doubt of! Look on this picture, and weep over it! and if there yet remains one thoughtless wretch, who believes it not, let him suffer it unlamented.

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Memoranda.

**W**HEN the first American fleet was fitted out, under the command of commodore Hopkins, it was expected it would not have been able to sail for want of sea-lanterns of a particular construction. The next post, after a discovery of this want, brought news that captain Manly had sent into one of the New England ports, a prize, with exactly the number and kind of lanterns which were wanted.

**I**N the second or third year of the war, two thousand muskets were wanted for a particular service. The congress spent several hours in devising ways and means to procure them. While Mr. Wilson, of Pennsylvania, was speaking upon the subject, and proposing a method of obtaining them, which was both uncertain and distressing, the door-keeper to congress called him out, and introduced him to a captain of a vessel, who had just arrived. After a few minutes conversation with him, Mr. Wilson returned, and terminated the business before congress, by informing them, that a vessel had just arrived, with two thousand muskets on board, on account of the united States.

M

## MOUNT VERNON,

An Ode—Written by Col. Humphreys.

Inscribed to General Washington.

**B**Y broad Potowmack's azure tide,  
 Where Vernon's mount, in sylvan pride,  
 Displays its beauties far,  
 Great Washington to peaceful shades,  
 Where no unhallow'd with invades,  
 Retir'd from fields of war.

Angels might see, with joy, the sage,  
 Who taught the battle where to rage,  
 Or quench'd its spreading flame,  
 On works of peace employ that hand,  
 Which wav'd the blade of high command,  
 And hew'd the path to fame.

Let others sing his deeds in arms,  
 A nation fav'd, and conquest's charms :  
 Posterity shall hear,  
 'Twas mine, return'd from Europe's courts,  
 To share his thoughts, partake his sports,  
 And soothe his partial ear.

To thee, my friend, these lays belong :  
 Thy happy seat inspires my song,  
 With gay, perennial blooms,  
 With fruitage fair, and cool retreats,  
 Whose bow'ry wilderness of sweets  
 The ambient air perfumes.

Here spring its earliest buds displays,  
 Here latest on the leafless sprays,  
 The plummy people sing ;  
 The vernal show'r, the rip'ning year,  
 Th' autumnal store, the winter dreat  
 For thee new pleasures bring.

Here lapp'd in philosophic ease,  
 Within thy walks, beneath thy trees,  
 Amidst thine ample farms,  
 No vulgar converse heroes hold,  
 But past or future scenes unfold,  
 Or dwell on nature's charms.

What wondrous era have we seen,  
 Plac'd on this isthmus, half between  
 A rude and polish'd state !



We saw the war tempestuous rise,  
In arms a world, in blood the skies,  
In doubt an empire's fate.

The storm is calm'd, seren'd the heav'n,  
And mildly o'er the climes of ev'n,  
Expands th' imperial day ;  
" O God, the source of light supreme,  
" Shed on our dusky morn a gleam,  
" To guide our doubtful way !

" Restrain, dread pow'r, our land from criens  
" What seeks, tho' blest beyond all times,  
" So querulous an age ?  
" What means to freedom such disgust,  
" Of change, of anarchy the lust,  
" The fickleness and rage ?"

So spake his country's friend, with sighs,  
To find that country still despise  
The legacy he gave—  
And half he fear'd, his toils were vain,  
And much that man would court a chain,  
And live through vice a slave.

A transient gloom o'ercast his mind :  
Yet, still on providence reclin'd,  
The patriot fond believ'd,  
That pow'r benign too much had done,  
To leave an empire's task begun,  
Imperfectly atchiev'd.

Thus buoy'd with hope, with virtue blest,  
Of ev'ry human bliss possess,  
He meets the happier hours ;  
His skies assume a lovelier blue,  
His prospects brighter rise to view,  
And fairer bloom his flow'rs.



*The shield of Achilles, translated from the Greek  
of Homer. Iliad XVIII. By the late dr. Ladd.*

**T**HEN form'd the artist-god, by skill divine,  
Th' enormous work, and bade the surface shine ;  
A silver chain suspends the glowing shield,  
And three rich circles glitter round the field,  
Broad and five-fold of spacious plates 'twas made,  
Where the great master all his art display'd :  
Heav'n, earth, and sea in wond'rous order shone,

The full round moon, and the unwearied sun;  
 The burning stars that o'er Olympus rise,  
 Crown the high heav'ns, and glitter in the skies,  
 Pleiads and Hyads, and resplendent there  
 Shone great Orion, with the constant bear,  
 (Oft call'd the Wain) the star that never leaves  
 Her glowing axle in old ocean's waves,  
 But wheeling round the pole with constant light,  
 Keeps the red dog-star ever in her sight.

Two cities next the artist's hand display'd,  
 Where nuptial feasts and festivals were made;  
 The spouses from the bridal chambers came,  
 Led thro' their city by the torch's flame;  
 From ev'ry mouth soft hymeneals sound,  
 The rapid youths in circling dances bound,  
 Breathe the sweet flute, and tune the silver lyre,  
 From every porch the female crouds admire.

The market next contain'd a gather'd croud,  
 Where two dispute, contentions and aloud:  
 A murd'rer he, from whose polluted hands,  
 To urge the fire, his stern accuser stands:  
 He pleads the payment made, and both demand  
 Impartial justice from some judge's hand;  
 Th' applauding croud their acclamations rais'd,  
 And now the one, and now the other prais'd,  
 While sacred heralds, thoughtful and profound,  
 Still'd the loud shouts, and rang'd the people round  
 On seats of polish'd stone, to hear the case,  
 The rev'rend elders fill'd the middle place;  
 Each in his turn, slow rising from his seat,  
 The sceptre wav'd, and govern'd the debate;  
 Two golden talents in the midst were laid,  
 And his the prize who better judgment made.

The other town two glittering hosts besieg'd;  
 There slash'd their armour, there the battle rag'd:  
 Both disagreed, if better to decide

The city's ruin, or the spoil divide.

Mean time the pris'ners secretly prepare

For sudden ambush, and impetuous war.

While, left behind the walls, their city's aid,

The fires, the matrons, and the children staid:

Fierce at their head, Mars and Minerva came,

The gods of gold in golden armour flame:

They move distinguish'd by superior height,

More sweet proportions, and a blaze of light.

Now at their stand they come, a river's brink,

Where lowing herds and thirsty cattle drink;

Hid by their shields, the margin'd stream they line

Two spies, at distance, watch the lowing kine;

The num'rous cattle, and white flocks appear,

Slowly they move, two shepherds in the rear;

They tune their dulcet reeds, and all the way  
Suspect no danger, thoughtless as they play.  
Now swift in view the rushing foe appear'd,  
They kill the swains, and captivate the herd ;  
The distant bands, rous'd at the shrill outcry,  
On thund'ring courfers to the battle fly.  
Then spears to spears, the dist'ring hosts engag'd,  
Loud roar'd the war, and fierce the battle rag'd ;  
Fate and loud tumult shake the echoing heath,  
And discord busy in the work of death.  
There might you see the cruel Parca's hand  
Drag the dead soldier thro' the bloody band ;  
One pierc'd with deadly wounds beside her bled,  
Her steel flash'd lightning o'er another's head,  
All grim with blood the thro' the battle tore,  
And her slain'd garments drop'd with human gore,  
Each form appear'd, upon the wond'rous shield,  
To live, to move, to battle o'er the field :  
You'd think the figures really drew their dead ;  
That the gold liv'd, and that the silver bled.

A large deep furrow'd field was next display'd,  
Where thrice the ploughshare had unbound the glade.  
Their useful team the sweating lab'ers steer,  
And move on ev'ry side the stubborn share ;  
Till, as they turn to end each furrow'd line,  
They meet the goblet foaming o'er with wine.  
Chear'd with the draught, a backward course they bend,  
And eager hasten to the next land's end ;  
The field (Vulcanian art) was form'd of gold,  
But black behind, the turn'd-up furrows roll'd.

Another field the god-like hand engrav'd,  
Where yellow corn high o'er the surface wav'd :  
Each reaper bending, handled the sharp steel,  
The swarths in thick and equal furrows fell ;  
Three steady lab'ers stand on ayt to bind  
The thick-strewn corn, and follow close behind ;  
While panting children carry to be bound  
The thin loose swarths that scatter on the ground.  
Amidst the heaps the master takes his stand.  
With silent joy, a sceptre in his hand :  
Distant from these his household stand, and there  
The feast beneath a shadowy oak prepare ;  
The victim ox they hold—and women knead  
Their cakes of wheaten flour—the reaper's need.

A vineyard next beneath his hand arose,  
In rip'ning gold the yellow vintage glows ;  
The dark plump grapes in heavy clusters rest  
On props of silver, "suing to be prest."  
A different metal closes all within,  
A darken'd trench, and pallisades of tin ;  
One narrow path leads winding to the place,

*The shield of Achilles.*

Thro' which the lab'ers to the vineyard pass ;  
With woven baskets, forming in a line,  
The youths and maidens bear the latent wine.  
'Midst these a youth attunes the trembling strings,  
Old Linus' song the charming lyrist sings ;  
They dance responsive to the tuneful sound,  
All join in chorus, and the song goes round.

Now herds of gold appear ; the oxen tall  
Erect their heads, and bellow from the stall,  
Haste to the meadows, where with stunning sound,  
The rapid torrent thunders thro' the ground.  
Four herdsmen follow, glitt'ring in the gold,  
And nine large mastiffs, terrible and bold.  
Two shaggy lions seize a bull. In vain  
He roars, he struggles, dragg'd across the plain ;  
They tear his entrails, and they quaff the gore,  
While swift to rescue, dogs and herdsmen pour ;  
In vain the herdsmen hearten them to rage,  
The dogs bark distant, fearful to engage.

Next a fair scene the ravish'd eye beholds :  
A beauteous valley to the sight unfolds ;  
White, snowy flocks of fleecy sheep are here,  
And folds, and sheds, and cottages appear,

Then form'd the master hand the smooth advance,  
And various figure of the waving dance :  
Such Ariadne, beauteous queen, beheld  
In Gnosus court, by Dædalus reveal'd ;  
There hand in hand the youths and maidens join,  
Form the sweet wave, and undulate the line ;  
The youths in glossy shining silks appear,  
The beauteous maidens in the white cymar ;  
Fair wreaths of flow'rs their lovely locks embrace,  
The youthful band the golden falchions grace ;  
All gaily at their sides, with graceful swing  
They hang suspended by a silver string.  
Here swift they move, and rapid as they fly,  
The varying forms seem blended in the eye.  
Whirl'd in a circle flies the giddy reel,  
As on its centre turns the rapid wheel,  
(His finish'd labour when the potter tries,)  
And all too rapid for the sight it flies :  
At once they move, thro' devious mazes meet,  
And wind away the dance with measur'd feet :  
Unnumber'd crouds enjoy the pleasing sight,  
And gaze the revels eager with delight.  
In active feats two nimble tumblers bound,  
While the whole circle bears the song around.

Thus grew the mighty shield : around the verge  
Pour'd the great ocean with its rapid surge ;  
He made the deep its whole circumf'rence lave,  
And smooth against it beat the silver wave,



## Foreign Intelligence.

*Temeswar, Feb. 11.*

THE siege of Belgrade will not commence until March; it is furnished with 600 cannon; the garrison consists of more than 15,000 Janissaries.

*Warsaw, Feb. 23.*

We learn from Kaminieck, that the Austrian general offered the pacha of Choczim, the most honourable terms of capitulation for himself and people under him, if he would surrender the place before the arrival of the Russians; who, he said, would carry fire and sword wherever they found any resistance. The pacha required twelve days to give a final answer, but at the same time said, that he and the people were faithful servants of the Sultan, and if they were attacked, would defend themselves. The same proposals have been made by the Austrians on the frontiers of Moldavia, to the Ottoman commanders of strong places in that principality.

*March 1.* When the imperial declaration of war was published in the Ottoman army, many of the troops are said to have marched home.

*Hamburgh, March 4.*

The court of Vienna has not yet published the dispatches received from the prince of Saxe Cobourg, commander in chief in the Buckowine; a part of the army under him, in Moldavia, passed the river Pruth, in order to take advantage of the fortress of Choczim. On this occasion, a very lively skirmish took place between the advanced guard of that corps, and a large body of Tartars, who, after an obstinate resistance, and the loss of some thousand men, were obliged to make a hasty retreat to Choczim. The loss on the side of the Austrians was not less considerable; particular-

ly in the three battalions of Palegrini, Charles of Tuscany, and of Samuel Giulay, which suffered greatly. This news not having been confirmed at Vienna, was considered as rather doubtful.

*London, Feb. 21.*

We learn that the treaty between Britain, Berlin, and the united states, is put into such a train of settlement, that there are hopes of its being finally concluded before the meeting of parliament. With this union, there is no doubt but we may speak with so decisive a tone to every kingdom of Europe, that we may hold at nought their combinations, however threatening.

*March 1.* Died, on the 31st of January last, aged 67 years and two months, Charles Edward Lewis Casimer Stewart, who, since the death of his father in 1765, assumed the title of king of England, but commonly known on the continent by the name of the chevalier de St. George, and in England by that of the young Pretender.

*March 20.* That the views of the French nation are placed upon some great future acquisition in India, cannot be doubted, from its present establishment, so superior to the protection of its possessions, as to incur a constant expense to their government to support them. Not less than a million of dollars, (224,000l.) was sent out to Pondicherry, in 1785, for the purpose of fortifying that city, and paying the troops stationed there, although its districts, with those appendant to Karicat, do not annually produce more than three lacks of rupees. In August, 1785, it was ascertained, that there were at Pondicherry and the isles, upwards of five thousand regular troops: to which, in case of war, Bourbon could add a corps of one thousand men, it being the only place east of the cape, with a re-

speckable yeomanry. The body of Europeans, with what reinforcements it might receive from home, would be united before even notice of such an intention could be had at Madras: the situation of the French African islands, out of the line of our ships, favouring expeditions against India, and their fertility supplying all the vegetables and fresh provisions required for voyages in tropical climates.

The present standing army of France is 364,556 troops.

The Spanish army is estimated at 200,000, but the majority of the corps perhaps not distinguished by either discipline or loyalty.

*March 21.* Our letters from Holland, by yesterday's mail, advise, that the partial amnesty which had been published by their high mightinesses, the states general, on the recommendation of the hereditary prince stadtholder, had caused great murmurs and riots in the province of Holland, particularly at Amsterdam—in so much, that their high mightinesses judged it advisable forthwith to issue one of a more extensive and liberal nature.

By the last mail from France, intelligence was received (the authenticity as well as the probability of which, however, is doubted) that the French court had just received an overland express from India, with the important advice, that in the beginning of December last, on the arrival of the accounts sent from England of the likelihood of a rupture with France, the governor of Madras took sudden possession of Pondicherry.

Although no American agent is stationed at the court of Lisbon, we understand that a treaty of commerce has been agitated through the means of Mr. Adams, between the Portuguese and the United States. The only obstacle to its accomplishment, respects the introduction of American wheat

into Portugal, and the establishment of a free port in one of the western islands.

These are points anxiously stipulated on the part of congress, but declared by the Portuguese government to be incompatible with the treaties in existence with other powers, who are unquestionably to enjoy whatever may be conceded by any subsequent arrangements. The pride of that court seems a little hurt by the disrespect which has been shown to it by the Americans: and the queen jocularly observes, that as she was always a whig in her heart, the United States, in their rage for appointing envoys and ambassadors, might have favoured her with a visit.

The Spaniards have at length agreed to suffer the Russian fleet to enter the Mediterranean; this was brought about by the interference of the French court.

*March 22.* The presbytery of Edinburgh, through Sir Adam Ferguson, have petitioned parliament against the African slave trade.

It is reported that a very unexpected change has taken place in the politics of this country, as far as they relate to our northern connexions.

The countess of Albany, widow of the late pretender, enjoys a pension of sixty thousand livres from the French treasury.

The Spaniards are making the most active preparations in equipping a fleet. The Castile man of war, and the Le Saint Florentine transport, are ordered immediately from Cadix to the Havannah, with provisions, troops, and some officers.

The remonstrances from the different parliaments, in favour of the duke of Orleans, M. Sabatier and de Froteau, are urging with more importunity.

A letter from Brussels, dated March 1, says, "The Brabantines have at length submitted. The char-

cellor has been among the foremost to agree to the commands of his sovereign. The conditions are, however, neither disgraceful nor unfavourable to the people. All the recruits, as they are raised in the Low Provinces, are brought here, and trained and disciplined; so that the city begins to look very warlike. All the levies will not, however, be sent to Germany. Some of them will be incorporated among the corps now stationed in Flanders."

The Russians have begun the siege of Oczakow. It is from the army under the command of prince Repnin, which is so advantageously posted as to have had the first intelligence of this event, that the news comes.

The Venetians are resolved to observe a strict neutrality in the present contest between Russia and the porte.

*March 25.* Letters have been received in town, stating that on the 20th instant, the dauphin of France, who had been for some time in a very ill state of health, expired at noon, at the Chateau de St. Louis. Nothing more than this has been related, and not having received a confirmed account of the event, we do not vouch for its authenticity.

The states general have ordered a medal, of 1300 florins value, to be presented to his excellency John Adams, the American ambassador, as a testimony of their approbation of his conduct.

Sir F. Haldimand is talked of to succeed to the governor-generalship of Canada, if lord Dorchester should give up, as expected; his health, as it is said, being too much impaired, to bear the vicissitudes of another winter in Canada.

*March 30.* A scheme is in agitation to encourage the general culture of hemp in Great Britain and Ireland, in order to prevent the sums of money sent out of the kingdom every

year for those articles, to Russia and other places. The encouragement is intended to be extended to the British colonies; but nothing will be attempted till the next year.

Although the various accounts from Spain differ, as to the number of ships preparing for sea, at Cadiz, and all of them seem ignorant of the cause of this armament, yet it is agreed, that a considerable number of ships of the line are preparing there, and, according to orders, should be ready by the beginning of April. This seems to accord with what lord Stormont mentioned last week in the house of peers.

France has only to keep out of the present continental dispute, and she has nothing to apprehend; for let who will gain the day, each way will be her gain; if the Turks conquer, she remains in perfect security of the Levant trade; while on the other hand, should the imperialists be crowned with the palm of victory, the Russians will be enabled to supply her with hemp cordage, and many other articles with more ease, and consequently at a much cheaper rate.

The prohibition, published in the gazette of Tuesday, that no English seaman should leave the kingdom, to serve on board foreign ships of war without the permission of government, has given rise to much speculation. A message was sent a few days since, by the marquis of Carmarthen to mr. Thornton, that government would not allow any English seamen to navigate the transports that had been contracted for by the Russian minister, to transport their troops, which has produced a representation and a visit from comte Woranzow both to mr. Pitt and the marquis of Carmarthen. He stated, that government had been very active in watching the present occasion, at the same time that they had allowed English sailors to navigate the frigates that had late-

ly failed for the service of the Turks. The answer to this was, that ministry knew nothing of the circumstance, and could therefore take no cognizance of it. And thus the matter at present stands.

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## American Intelligence.

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*Salem, April 29.*

We are informed, that Mr. Jonathan Gavett, an ingenious mechanic of this town, has contrived a very useful machine for the sowing of seeds. It performs, with one effort, all the operations of making the furrows, sowing the seed, and covering it—and may be used by a child, capable of performing any kind of manual labour. It is simple in its construction, and may be made for a trifling expense.

*Boston, May 1.*

At Beverly lately, an experiment was made with a complete set of machines for carding and spinning cotton; which answered the warmest wishes of the proprietors. The spinning jenny spins 60 threads at a time; and with the carding machine 40 lb. of cotton can be well carded per day. The warping machine, and the other tools and machinery, part of which go by water, are complete—perform their various operations to great advantage, and promise much benefit to the public, and emolument to the patriotic adventurers.

We are assured, that a French squadron may be expected to arrive in this port, about the 1st of July—to continue here two or three months. It will be nearly of the same force as that under le viscount Beaumont—and will be commanded by mons. de Senneville.

*May 12.* A glass manufactory, we are told, is established at Hartford, which promises much advantage to the proprietors—14,000l. is the sum subscribed.

We hear, that on Saturday last, two piers of the bridge, erecting between Salem and Beverly, were fixed; and that the persevering spirit which attends that business, promises its speedy completion.

A woollen manufactory is established at Hartford, in Connecticut, and five gentlemen appointed to superintend and conduct it.

*Newport, (R. I.) May 15.*

The revolving year hath produced no important change in our administration nor in our police. The crusading errands still display the destroying standard, “a depreciated paper money,” as the ark of our salvation. No experience of the mischiefs resulting from it, nor any conviction of its injustice, tends to check a “perseverance;” for credulity and implicit support of this system, are marked out as the high road to preferment, while honour, virtue and abilities, form no criterion of merit.

Loud advocates for the extremes of liberty, they can bear no discussion of their measures without irritation: that freedom of speech, which elevated America to the station of independence, is viewed as treason and rebellion, and the blood of the free-men seems alone sufficient to satiate revenge.

Apprehensive of the ratification of the new constitution, men of tried antifederalism are advanced to the command of forts and of the militia; whether that they may be prepared to oppose the union, or to keep alive popular clamour, we presume not to determine.

*New-London, May 9.*

About fifteen minutes past seven o'clock, on Tuesday morning last, a



Eight shock of an earthquake was felt in this town, and in Groton, preceded by a rumbling noise. The same shock was felt at Newport.

*New-York, May 8.*

A letter from Cherburgh, to a gentleman in London, dated Feb. 24. says, "funds are established for carrying on our works here, notwithstanding the reforms which it is found necessary to make. By the month of June we shall have four new cones; and those, which have been damaged, will be repaired by that time. The English have been deceived in imagining that we should abandon these works, and give up the idea of having a port in the Channel. This must have originated from the exaggerated reports of the damage done to the cones. No part of them has suffered, but what was above the water. The foundation, and the dyke, which unites the cones, remain firm and immoveable. In about four years, we expect that they will be completed. Several vessels have already been sheltered by these works. Among others, there is a ship of sixty four guns at present in the port."

*Lexington, March 27.*

On Saturday evening, the 21st instant, some time after night, a party of about seven Indians knocked at the door of the widow Shanks, (living on Townsend, a branch of Licking) and demanded entrance, which was denied them; they then set fire to the house, and by that means, forced the family out; four of which fell a sacrifice to their savage fury, and one was taken alive; the rest escaped. The snow falling that night, enabled the inhabitants to follow them: they came up with them the next day; killed one and wounded another; the rest escaped, leaving all their baggage. The prisoners taken, they had tomahawked, just before the white people came up with them.

One other Indian was found dead near where they committed the murder; supposed to have been killed by a young man whom they murdered the evening before.

*Philadelphia.*

May 3. We learn that Mr. Bordley, of the eastern shore of Maryland, has presented the agricultural society of this city, with a model of a threshing machine, which is somewhat on the construction of a coffee mill, and will thresh above a hundred bushels of wheat in a day, with one man's labour. Machines appear to be objects of immense consequence to this country. Every month furnishes us with something new and important of that nature. It is the duty of every friend to America, at home and abroad, to keep a vigilant eye upon every thing of that kind which comes in his way. We may invent, and we may borrow of Europe her inventions. Possessed of soil without end, every thing that saves the labour of hands, is a gain of peculiar value to us.

The following appears in the proceedings of the British house of commons, of Feb. 8: "The right honourable F. Montague presented a petition from lady Penn, and the junior part of her family stating, that by the late act of assembly in Pennsylvania, all compensation was refused for their possessions which had been wrestled from them in the late disturbances, and praying for parliamentary relief."

May 16. A letter from a gentleman in Paris, to his friend in Baltimore, dated Feb. 3, says, "I have much satisfaction in informing you, that the laws instituted by the federal convention, [i. e. the new constitution] have made great noise in Europe. In England, they are so much admired, that they have been printed and are profitable to the printer,—



Every body praises them ; but more than they otherwise would, did they not flatter their laws, which they esteem the most perfect. In France, they are highly esteemed also, and the sentiments upon them more liberal. The parliaments of France, but particularly that of Paris, for some time past have endeavoured to clip the wings of their monarch, to prevent his high flights ; and in fact, have lately succeeded in their attempts, by establishing laws upon more liberal principles than heretofore. Since the American revolution, they have been seeking after something—and at last, like a divine charm, have met with that which opens their eyes, and restores them to light : the late laws, of which we are speaking, have produced those effects : they have been before the parliament of Paris as a model of wisdom to be copied after—they were there amply discussed, and most ably defended by a majority of the house ; however, there was one member violent in his opposition ; but from one of his speeches, you will find that prejudice influenced him.—“ Do you think,” says he, “ gentlemen, than an old nation like this, will take for its model the laws of an infant country, which does not yet know how to carry the bread to its mouth ? no ! ” This, you see, is ridiculous, and not only repugnant to the opinions of some of the greatest politicians, but even to nature and common sense ; and contradicted by innumerable facts, many of which were pointed out to him the next day by the count de Mirabeau, who took an opportunity of exposing him in the public papers, and therefore of extolling America to the stars, by saying that in less than thirty years, it would become the most renowned empire of the four parts of the world ; and this, I can tell you, is a very general opinion. The objections here to the constitution, are, that the presi-

dents ought not to be chosen during their good behaviour, but for a certain time only, that the honour may not be a matter of too much contention, which would generally be the cause of bloodshed, slaughter, anarchy, and confusion ; that the legislative and executive powers ought to be separated, and that there should be a bill of rights. The states of Holland, sensible of the rising progress of America, from considering its resources, its commerce, and the disposition of its inhabitants, have offered congress, through the hands of Mr. Jefferson, the American ambassador at Paris, a loan of 80,000. sterling, to be delivered as soon as there is a permanent government established—certain that their money will be more secure in the American funds than in any other whatever. Their reasoning is sensible, and founded upon just principles : they say that America is large and extensive, and must soon become opulent from its commerce ; that since the peace they have sunk eight millions of their debt, and have still a principal to sink the capital entirely : that which no other country whatever thinks of, and that after this is once accomplished, America will be one of the most free and unembarrassed nations in the universe. To give you an idea more particularly of the opinions of the Hollanders, an American gentleman had purchased a number of continental certificates at twelve per cent. with which he went to Holland, not expecting to make any thing of them ; but when he arrived there, he found the inhabitants so well disposed towards the Americans, and having so good an opinion of their profits, that he sold his certificates at fifty per cent. to the amount of 150,000. sterling. This you may depend upon as a matter of fact, for I have it from the best authority.

On Thursday the 8th inst. the

niversary election of supreme magistrates, and other officers, for the government of the state of Connecticut, was held at the city of Hartford; when his excellency Samuel Huntington, esq. was elected governor, and the hon. Oliver Wolcott, esq. lieutenant-governor.

A letter from a gentleman in New Orleans, to his friend in this city, dated March 25, says, "the misery of this place I shall not undertake to describe; suffice it to tell you, that New Orleans, which consisted of 1100 houses, was, on Friday last, in the space of five hours, reduced by conflagration to ash. The rapid progress of the fire was such, that but little merchandize, household furniture or clothing has been saved."

Saturday night, the 3d inst. two fine bullocks were killed on State-Island by a flash of lightning. Two other cattle were also struck dead at Point no-Point, during the storm of rain, thunder, and lightning, which prevailed for several hours that night.

May 27. By an act of the British parliament lately passed, entitled, "an act for regulating the trade between the subjects of his majesty's colonies and plantations in North America and the countries belonging to the united States of America," &c. it is enacted—

"That no goods or commodities whatever shall be imported or brought from any of the territories belonging to the said united States of America, into any of his majesty's West India islands (in which description the Bahama and the Bermuda islands are included) under penalty of the forfeiture thereof, and also of the ship or vessel in which they shall be so imported or brought, together with all her guns, furniture, ammunition, tackle, and apparel, except tobacco, pitch, tar, turpentine, hemp, flax, masts, yards, bowsprit, staves, heading, boards, timber, shingles,

and lumber of any sort; horses, neat cattle, sheep, hogs, poultry, and live flock of any sort; bread, buttermilk, flour, peas, beans, potatoes, wheat, rice, oats, barley and grain of any sort; commodities respectively, being the growth or production of any of the said united States of America."

The above enumerated articles, that are permitted to be imported, must be brought by British subjects, in British ships, on penalty of forfeiture.

May 31. A letter from Charleston dated May 22, says, "The convention of South Carolina, met at Charleston on the 13th. Governor Pinckney, president.

"They proceeded to debate on the constitution by paragraphs; got thro' on the morning of the 21st, when a motion was made for adjournment to October next.

"This was warmly opposed; and the motion was lost by a majority of 46, viz. 135 against 89.

"The reasons given in favour of the adjournment were.

"First. That the people in the back counties were not sufficiently informed in regard to the constitution, and ought to have more time.

"Second. That many delegates from the country had come down, biased themselves, and influenced by their constituents, against the constitution—that since they had heard the debates, their sentiments had greatly changed; in consequence of this they wished to have time to return to their constituents and bring them over also, otherwise they were fearful the people whom they represented, would think that their delegates had been forced to an adoption.

"Many persons who voted in favour of the adjournment did so merely through accommodating and mild principles; but since the motion is lost, will vote in favour of the constitution.

"The question will this day be put, on the close of the business, whether this convention will ratify the new constitution. Some debate will ensue; but it is confidently said, there will be a very large majority in favour of it."

A letter from Baltimore, dated May 27, says, "we have received intelligence, that Mr. Samuel Purviance, with fourteen other prisoners, were met within fifty miles of Sandusky: all well."

A letter from Carlisle, dated May 10, says, "Our commencement is over. Eleven young gentlemen were admitted to degrees. All their orations were in favour of the new constitution. Dr. Nisbet is a warm federalist."

His Britannic majesty hath given his royal assent to "an act to continue the law in force for regulating the trade between the subjects of his dominions and the inhabitants and territories belonging to the united states of America, so far as the same relates to the trade and commerce carried on between Great Britain and the countries belonging to the said united states. At the same time also received the royal assent, "an act for regulating the trade between the subjects of his Britannic majesty's colonies and plantations in North America, and in the West India islands, and the countries belonging to the united states of America, and between his Britannic majesty's subjects and the foreign islands in the West Indies."

Lately died in London, col. Guy Johnson, (son-in-law to the late Sir William Johnson, bart.) his Britannic majesty's superintendant of Indian affairs in North America.

#### MARRIAGES.

MASSACHUSETTS.—*At Salem* Rev. Joshua Spalding, to Miss Susannah Douglass; Mr. Samuel Pritchard to Miss Alice Poor,

RHODE-ISLAND.—*At Newport*, Captain Caleb Gardiner to Miss Sally Fowler; Mr. Isaac Greenwood to Miss Deborah Langlye.

PENNSYLVANIA.—*At Philadelphia*, Doctor Casper Wistar to Miss Isabella Marshall; Peter Stephen du Ponceau, Esq. to Miss Ann Perry; Dr. John Foulke to Miss Ellen Parker; Jacob R. Howel, Esq. to Miss Elizabeth Burge; Mr. Jacob Peter to Miss Sarah Weiss.

VIRGINIA.—*At Alexandria*, Col. John Allison to Miss Rebecca M'Rhea.

SOUTH-CAROLINA.—*At Charleston*, Charles Goodwin, Esq. to Miss Elizabeth Williamson.

#### DEATHS.

MASSACHUSETTS.—*At Boston*, Mr. John Williams; col. Thomas Brackett; Mrs. Ann Swift.—*At Primfield*, Deacon Joseph Hitchcock; *At East-Hampton*.—Mr. Summit Clap.—*At Branford*, Rev. Warham Williams.—*At Hollingslow*, the Rev. Joshua Prentiss.—*At Cambridge*, Mr. John Warland.

RHODE-ISLAND.—*At Newport*, Mrs. Elizabeth Rathburn.

CONNECTICUT.—*At Woodbridge*; Mr. Jonathan Maxfield Peck.—*At Stonington*, Captain David Fitch.

NEW-YORK.—*At Long-Island*, Basil Jackson, Esq.

MARYLAND.—*At Baltimore*, Mrs. Elizabeth Clopper; Mrs. Frances Owings; Mr. John Cannon; Mr. Thomas Bradly.—*At Prince George's County*, Mrs. Susannah Tyler.

VIRGINIA.—*At Alexandria*, Mr. William Anderson; Mr. Richard Westley.—*at Richmond*, Mrs. Mary Moore.—*at Hanover*, Mr. William Haywood.—*At Pocomon*, Mrs. Mary Davenport.

SOUTH-CAROLINA.—*At Charleston*, Miss Maria Bay, Master William Hynes; Mr. Erasmus Audley.

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